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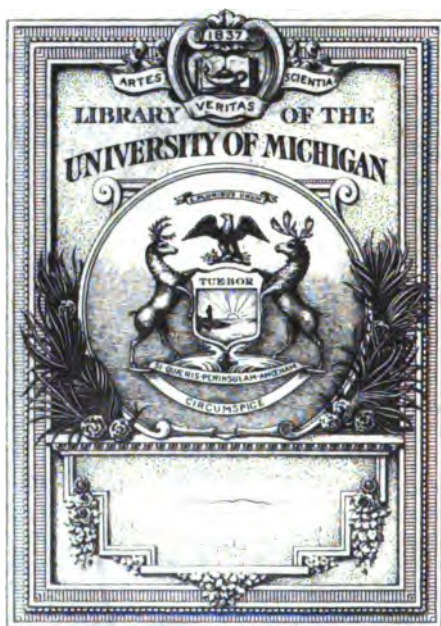
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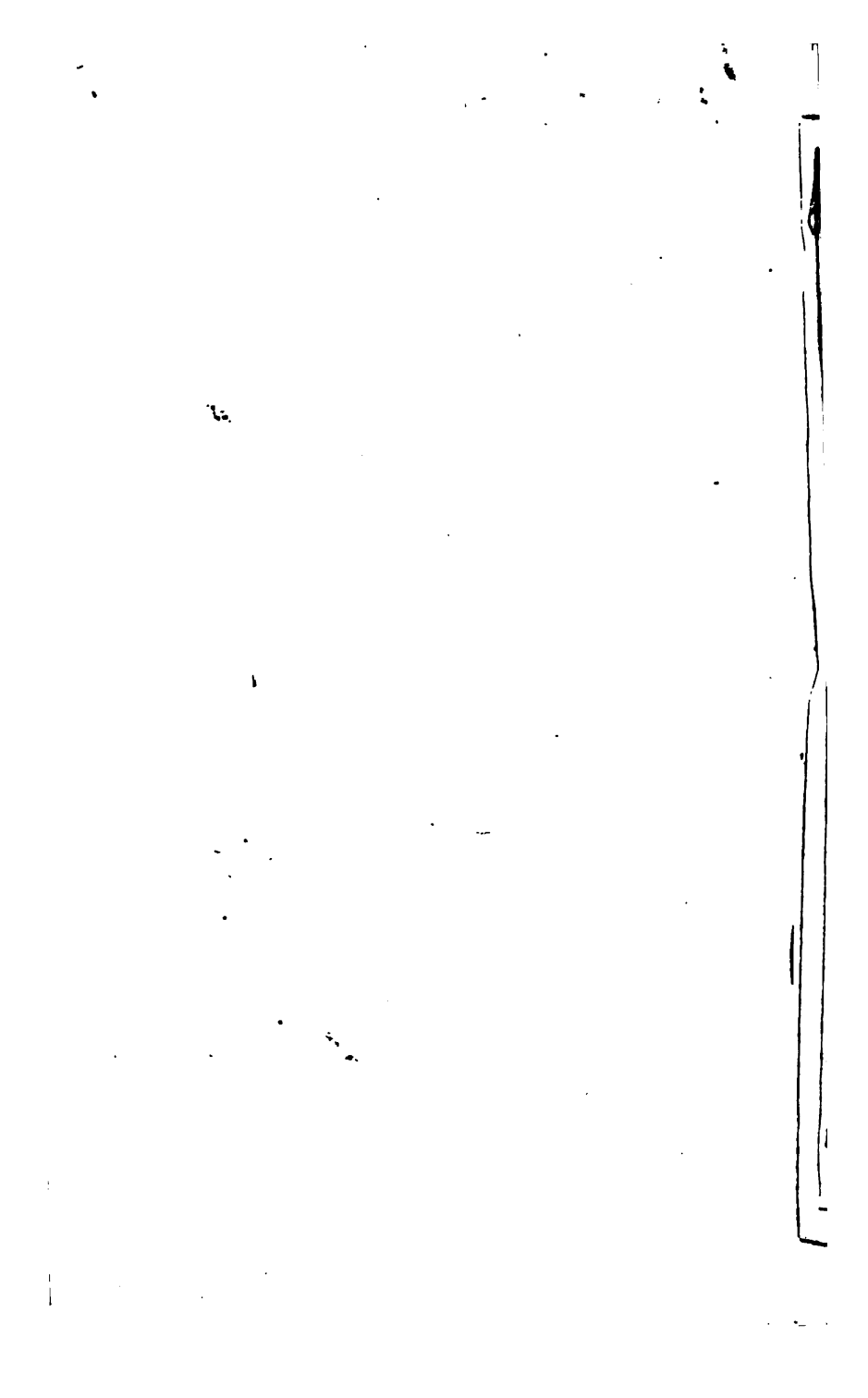
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*Bayer. Abel*

*Conjunctly* THE *Norbury*  
**HISTORY**

Of the REIGN of

*Queen* **A N N E,**

Digested into

**ANNALS.**

*YEAR* the *FIFTH.*

CONTAINING,

The most Memorable Transactions, both at Home and Abroad; particularly a Full and Exact Account of the Treaty of UNION, and the Proceedings and *private Debates* thereupon, in the Parliaments of Both Kingdoms, till the happy Conclusion of that Great Work: And in which are inserted several Valuable Pieces never before Printed.

L O N D O N:

Printed for *A. Roper*, at the *Black boy* over against *St. Dunstan's Church, Fleetstreet*, 1707.

English

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To his GRACE  
**JAMES DOUGLAS,**  
DUKE of  
**QUEENSBERRY.**

*May it please your GRACE,*

**T**HIS Volume of *Annals* has a natural Claim to your GRACE's Patronage, since it contains an Account of the Wonderful and Glorious Events, that have happen'd in the Fifth Year of Her Majesties Auspicious Reign; among which none is so signal, and so great, as that in which your GRACE has so eminent a Share: The UNION of the two Ancient Kingdoms of *England and Scotland!*



### *The Dedication.*

THIS UNION had, for some Ages past, been desired by all *True Patriots* in Both Nations; who, rightly, look'd upon it, as the most *solid and unshaken Foundation* of the *Felicity and Quiet* of the whole *Island of GREAT BRITAIN*: But tho' many Attempts were made towards it, even from the Time of *Henry VIII.* to the Reign of the late King *William*, of ever-glorious Memory, yet that Design met, constantly, with so many Difficulties; and was, all along, so thwarted by the secret Cabals of the *French Court*, and *Popish Clergy*, (to mention no other Foreign Obstruction) that the Wishes of the Soberer Part of either Nation, and the Endeavours of their Ablest Statesmen, were

### *The Dedication.*

were still unhappily disappointed.

Heaven, it seems, by a *surprising Chain of Success*, and a Concurrence of other *favourable Circumstances*, had prepared the Way for the Accomplishment of so Great a Work; in order to crown Her Majesty's Unexampled Piety, by Compleating the Happiness of All Her Subjects: For, indeed, what would our *Victories Abroad* have signified, if Divisions about the Succession, and clashing Interests, hardly to be reconcil'd, but by an *intire UNION*, had left Us uneasie at Home; and still Open, even after the best-secur'd Peace, to the Attempts of a Restless and Constant Enemy?

But

### *The Dedication.*

But tho' the Prosperity of Her Majesty's Arms, had disabled our Foreign and Domestick Foes from Raising a successful Opposition to the intended UNION, how many Obstacles were still behind? The *ill-grounded Jealousies about Trade*, in One Nation; The *unreasonable Fondness of Independency*, in the Other; The *inveterate Prejudices about Religious Worship and Church Discipline*, in Both; together with their *Old reciprocal Animosities*, not thoroughly extinguish'd by their Living under one Head; seem'd to be *insuperable Difficulties*.

Part of these were effectually remov'd by the Wisdom of the Commissioners of Both Kingdoms, who, in Conjunction with Your GRACE, managed the Treaty

*The Dedication.*

Treaty here in *London* : But a more arduous Task requir'd Your GRACE's Abilities in Your Native Country ; where Your Prudence, Moderation, and Arguments *clear'd the Doubts* and *dispell'd the Prejudices* of the *Well-meaning* ; Your Skill and Penetration baffled the *Noisy Sophistry* of the *Disaffected* ; and Your steady Conduct and Resolution, check'd and suppress'd the Clamour and Violence of the *Giddy Multitude* ; so that Your GRACE must be own'd to have been one of the chief Agents, under Providence, for bringing the **UNION** to a happy Conclusion : A Transaction, which, according to Her Majesty's Sentiments deliver'd from the Throne, *will be remembered*

*The Dedication.*

*bred and spoke of hereafter, to the Honour of those who have been instrumental in it.*

That **GREAT-BRITAIN** may reap the Expected Fruits of *Wealth, Strength, and Safety* from the **UNION**; and your **GRACE** long enjoy a large Share of those Blessings, in the deserved Favour of our most Gracious Sovereign, and the grateful Acknowledgments of the whole *United Kingdom*, is the sincere and hearty Wish of,

*May it please your Grace,*

Your **GRACE's**

*London, June*  
*2. 1707.*

Most humble, and most  
obedient, faithful  
Servant,

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THE  
ANNALS

OF  
Queen *Anne's* Reign.

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YEAR *the FIFTH.*

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The *INTRODUCTION.*

**T**HE Fifth Year of Her Majesty's most glorious Reign, has been so crowded with Action and Business, both at Home and Abroad, A. C:  
1708.  
That in Imitation of a celebrated \* Au- Florus.  
thor, when he went about to write the History of the *Roman* People, I may say on this Occasion, That whoever considers the Wonderful Events, and Weighty Transactions that have happen'd within this Twelve-Month, he will scarcely believe the Time to have been so short. This great Variety of noble Matter would, at first, have deterr'd the Writer of these Papers from Pursuing his *Annual History*; but upon Second Thoughts, he was encourag'd to go on by the Indulgence he has hitherto met with in his Readers; which gives him Hopes, They will excuse both his Transgressing the usual Compass of these Annals, as to the Bulk of the Book; and his

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A. C.  
1706.

Narration falling short of the Dignity of his Subject: For he is sensible, That the single Campaign, either of the Prince and Duke of *Marlborough*, or of Prince *Eugene*, would not only bear a Volume, but likewise employ a much better Pen than his, to do full Justice to those two great Men. However, what shall be wanting in Ornament, he hopes to make up in Exactness, Truth, and Impartiality.

*Proclamation for the better Manning of the Fleet, dated Kensington, March 25 1706.*

*The Elect. Prince of Hanover, Brunswick Lunenbourg, chosen Kt. Companion of the most Noble Order of the Garter, April 5.*

IN the last Year's ANNALS, we clos'd the Account of the Domestic Transactions, with the Session of the Parliament, which ended the 19th of March, 1701. The same day, the Lords presented an Address to the Queen, *Beseeching her Majesty to appoint Persons to consider of the most effectual Means for Manning the Fleet:* (which has been there related at large, and) pursuant to which, a few days after, a long Proclamation was publish'd, *For the putting in Execution an Act of Parliament, for the Encouragement and Increase of Seamen, and for the better and speedier Manning her Majesty's Fleet, and also for the Encouragement of Seamen and Able-bodied Landmen, voluntarily to enter themselves in Her Majesty's Sea-Service.* The 5th of the next Month, a Chapter of the most Noble Order was held at Kensington, where the Sovereign, and ten Knights Companions being present, his Highness, *George Augustus*, Electoral Prince of Hanover, *Brunswick Lunenbourg*, was elected a Knight Companion of the said most Noble Order.

Upon a Petition from the Bishop of *Chester*, and the Gentry and Clergy of the South Parts of *Lancashire*, Complaining of the Intolerable Boldness and Presumption of the Romish Priests and Papists, in employing all their inveighling Arts and Devices, in Perverting and Seducing the Gentry and Commonalty, and that not only secretly; but openly and publicly, in defiance of the Laws. The Commons Address'd her Majesty, 'That She would be pleas'd to issue out Her Royal Proclamation, for the putting in Execution the Laws which are in Force, against all such Persons as have, or shall endeavour to pervert Her Majesty's Subjects to the *Popish* Religion. According to their Desires, the following Proclamation was, some time after, publish'd:



# Queen ANNE's Reign.

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A. C.

1706

ANNE R.

¶ Whereas by a Statute made in the Twenty third Year of the Reign of the late Queen Elizabeth, Intitul'd, *An Act to Retain the Queens Majesty's Subjects in their due Obedience*; It is made High Treason to withdraw any of Our Subjects from the Religion Establish'd by Law within this Realm to the Romish Religion, to the Intent to withdraw them from their Natural Obedience to Us: And it is thereby High Treason in the Persons so willingly withdrawn; And their Procurers and Counsellors thereunto, and all Aiders or Maintainers wittingly of such Offenders, are Guilty of Misprision of Treason: And, whereas by another Statute made in the Third Year of the Reign of Our Great Grandfather King James the First, Intitul'd, *An Act for the Discovering and Repressing of Popish Recusants*, It is High Treason for any Person or Persons to put in Practice to Absolve, Perswade or Withdraw any of Our Subjects of this Realm of England from their Natural Obedience to Us, or to Reconcile them to the Pope, or See of Rome, and their Procurers, Counsellors, Aiders and Maintainers knowing the same, are also Guilty of High Treason; And also to be willingly Absolv'd, or Withdrawn in manner aforesaid, or to be willingly Reconcil'd to the Pope, or See of Rome, or to Procure, Counsel, Aid or Maintain such Offenders, knowing the same, is thereby likewise made High Treason: And whereas the Knights, Citizens and Burgeses of the House of Commons in the last Sessions of Parliament, did humbly beseech Us, that We would be pleas'd to Issue out Our Royal Proclamation for Putting in Execution the Laws which are in Force against all such Persons as have, or shall endeavour to Pervert our Subjects to the Popish Religion, We therefore, with the Advice of Our Privy Council, have thought fit to Issue out this Our Royal Proclamation, and do hereby Require, Charge and Command all Our Judges, Justices of the Peace, and Ministers of Justice, That they in their several Places do put in due Execution all the Laws now in Force against all such Persons that have or shall

Proclamation against  
such as endeavour to  
pervert  
Her Majesty's Subjects to the  
Popish Religion, dated  
Kettlington,  
April 11.

A. C.

1706

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' shall Endeavour to Pervert our Subjects to the Popish Religion, and cause the said Laws to be Publickly given in Charge at all and every their Assizes, Goal-Deliveries, and Quarter-Sessions respectively; And then and there, and at all other Times and Places, do take Order that such Offenders be Taken, Imprisoned and Prosecuted according to Law. Given at Our Court at *Kensington* the Eleventh Day of *April*, 1706. In the Fifth Year of Our Reign.

The Duke of  
Marlborough  
rough em-  
barks for  
Holland.  
April 10.

On the 10th. of the same Month, his Grace the Duke of *Marlborough* went on Board the *Peregrine* Galley, accompanied by the Lord *Hallifax*, who was sent by her Majesty, with a Compliment to the Elector of *Hanover*, and the Princess *Sophia*, and with the Garter for the Electoral Prince; By his Grace's Son-in-Law the Marquis of *Mountbath*; Mr. *Buys*, Pensioner of *Amsterdam*; Mr. *Pless*, Privy-Counsellor to the King of *Denmark*, and several other Persons of Distinction. The next Morning his Grace pass'd by the *Nore*, with several other Yachts, under Convoy of the *Rumney* and *Rye*; join'd the Squadron of her Majesty's Ships commanded by Sir *Edward Whitaker*, at the *Gunfleet*; and the 14th. about 9 in the Morning the Squadron left his Grace, with the *Centurion* Man of War, and the several Yachts and Sloops, going into the *Maese*. In the Afternoon his Grace landed at *Rotterdam*, and in the Evening arrived at the *Hague*, where, the next Day, he receiv'd the Compliments of the Publick Ministers, and other Persons of Quality and Note, on his happy Arrival; and the day following, his Grace had a Conference with the Deputies of the States General, upon the necessary Measures to be taken for Opening the Campaign.

Where he  
arrives,  
April 14.

The Vene-  
tian Amba-  
ssador's  
Publick  
Entry,  
April 13

On the 23d. of the same Month of *April*, Signior *Francisco Cornaro*, Ambassador in Ordinary from the Republick of *Venice* to her Majesty, made his publick Entry, with a magnificent Train. He was receiv'd at *Greenwich* by the Earl of *Leicester* and Sir *Charles Cottrell*, Master of the Ceremonies, accompanied by six Gentlemen of her Majesty's Privy-Chamber, and by water in her Majesty's Barges to the Tower. The commanding Officer there, in the *Ab-  
bay of St. Dunstons*, Lieutenant-Governor of the  
Tower,

Queen ANNE's Reign.

Tower, complimented his Excellency at his Landing, and he was saluted with a Discharge of the Cannon, the Standard being display'd. From thence he was conducted in her Majesty's Coach, followed by a Coach of his Royal Highness Prince George of Denmark, three of his own Coaches, one with eight Horses, and the other two with six Hoses a-piece, and many Coaches of the Nobility with six Horses each, to his own House, where his Excellency was complimented in her Majesty's Name by the Ld Howard of Effingham, and on the part of the Prince by the Earl of Westmorland, one of the Lords of the Bed-Chamber to his Royal Highness: And his Excellency entertained very splendidly the Persons of Quality and others, that accompanied him at his Entry.

The 25<sup>th</sup>. being the Day appointed for his publick Audience, the Earl of Bridgewater, and Sir Charles Cotterell, with sixteen Gentlemen of the Privy-Chamber, conducted him from his own House to St. James's Palace in her Majesty's Coach, followed by a Coach of his Royal Highness Prince George, the Ambassador's own Coaches, and many Coaches of the Nobility with six Horses each. His Excellency was receiv'd at the Gate of the Palace by the Knight-Marshal; her Majesty's Foot-Guards then upon Duty were drawn up in the Court, and their Officers saluted his Excellency with their Hats as he passed by. His Excellency was conducted to the Council-Chamber; and when her Majesty was ready, proceeded to his Audience: He was receiv'd at the Guard-Chamber Door by the commanding Officer of the Yeoman of the Guard, (in the Absence of the Marquis of Hartington) and afterwards by Major-General Seymour, at the Head of the Band of Gentlemen Pensioners (the Duke of St. Albans being absent,) and at the Door of the Room of Audience by the Earl of Kent, Lord Chamberlain of her Majesty's Household. His Excellency had afterwards Audience of his Royal Highness Prince George of Denmark, and was receiv'd at his Royal Highness's Bed-chamber Door by the Lord Byron, one of the Lords of the Bed-chamber to his Royal Highness: Which Audiences being over, the Ambassador was reconducted by the Earl of Bridgewater, the Master of the Ceremonies, and the Gentlemen

A. C.  
1705.

His Audience,  
Apr, 25.

A. C. of the Privy-Chamber, in the same manner to his own House.

Two days after, *Hamet Ben Hamet Cardenash*, Ambassador from the Emperor of *Morocco*, had, in like manner, his Publick Audience of Her Majesty, to whom he deliver'd the Presents from the Emperor, his Master.

But a Transaction of infinite Moment, which was begun about the middle of this Month, now bespeaks our Attention. The Uniting of the two Kingdoms of *England* and *Scotland*, was ever thought of so great Importance to the Wealth, Prosperity and Strength of the famous Island of *Great Britain*, that several Attempts were made towards it, both before and after the Union of the Two Crowns, in the Person of *James I.* of *England*, and *VI.* of *Scotland*: Of which Attempts it will not be improper to give here a summary Account. King *Henry VIII.* to bring the Government of the Island under one Scepter, offer'd his Daughter *Mary* to King *James V.* of *Scotland*, and to prevent all Difficulty that might happen about the Succession after his Death, he propos'd to make King *James* Duke of *York*, and Lord-Lieutenant, or Deputy-Governor of *England*, immediately upon the Match. The King of *Scotland* was enclinable enough to fall in with that advantageous Proposal; but the *French* Court, and the *Papish* Clergy, who equally dreaded the Effects of such a Conjunction, found Means to prevent. This engag'd the *Scotch* Nation, against their Will, in a War against *England*, and occasion'd their Defeat at *Solan Mosse*, which brought their King to his Grave: He was so apprehensive, that his Nobility had conspir'd against him.

King *Edward VI.* pursuing his Father's design of an Amicable Union of the two Kingdoms, propos'd a Match betwixt himself and Queen *Mary* of *Scotland*, which had been agreed on in the *Scotch* Parliament in King *Henry VIII.*'s Time; but the *French* and *Papish* Faction broke that Agreement, and brought upon the *Scots* another War with *England*, which ended in their shameful Defeat at the Battle of *Pinky*, or *Muscleburgh*. Notwithstanding this great Victory, by which the *English* became possess'd of most of the South of *Scotland*, yet that excellent Monarch, *Edward VI.* and his Wife Council, were so far

The Moroccan Ambassador's Publick Audience.  
An Account of the Treaty of Union between England and Scotland.

Former Attempts towards an Union.

In King Henry VIII's Time.

In King Edward VI's Time.

far from deligning a Conquest of Scotland, or the Overturning of the Constitution of that Kingdom. That his Uncle, the Duke of Somerset, Protector of the Kingdom of England, publish'd a Declaration, to invite the Scots to Amity and Equality. *We overcome in War, (said that Declaration) and offer Peace; We Win Holds, and offer no Conquest; We get in your Land, and offer England. What can be more offer'd than Intercourse of Merchandizes, and Interchange of Marriages; the Abolishing of all such our Laws, as prohibit the same, or might be Impediment to the mutual Amity? We have offer'd not only to leave the Authority, Name, Title, Right or Challenge of Conqueror, but to receive that which is the Shame of Men overcome, to leave the Name of the Nation, and the Glory of any Victory, and to take the Indifferent Old Name of Britains; because nothing should be left on our part to be offer'd, nothing on your part unrefus'd, whereby ye might be inexcusable. What Face has this of Conquest? We seek not to disinherit your Queen, but to make her Heirs Inheritors also of England. We seek not to take from You, Your Laws, nor Customs, but we seek to redress Your Oppression.* This was a very Generous Proposal from a Conqueror: but the Popish and French Faction, still made it ineffectual; and brought Scotland under a Yoke of French Tyranny, which did so much incense the Scots, That when they set about the Reformation, (which they did to the Purpose, some few Years after) they pull'd up the Hierarchy by the very Foundations, and reduc'd the Ecclesiasticks, who had then one Third of the Kingdom in their Possession, to their ancient Dependance upon the State, as to their Maintainance and Benefices.

King James I. soon after his Accession to the English Throne, (*viz.* in March 1604.) mov'd the Parliament of England, for an Union betwixt the Two Kingdoms, *And in King James I's Reign.* That as they were made one in the Head, so among themselves they might be inseparably conjoin'd, and all Memory of by-past Divisions extinguish'd. The Motion took well, at first, and seem'd to be generally desir'd by Both Nations, whose respective Parliaments appointed their Commissioners, the English 44 in number, and the Scots 30. They met accordingly at Westminster, and agreed upon some Articles about the Repealing all

A. C.  
1706

Hostile Laws, made either in *England* against *Scotland*, or in *Scotland* against *England*; and the mutual Communication of Commodities and Commerce: Reserving the King's Prerogative, in the Preferment of Men to Offices and Honours in either Kingdom. The King recommended the Prosecution of that Business to the Parliament of *England*; but of all the Articles agreed upon by the Commissioners, only that was enacted, which concern'd the Abolishing of Hostile Laws. The King griev'd at this exceedingly, and conceiving that the Work should more easily be effected, if begun in *Scotland*, did call a Parliament there. The Estates, at the King's Desire, did readily allow all the Articles concluded in the Treaty; with a Proviso, that the same should, in like manner, be ratify'd by the Parliament of *England*; otherwise the Conclusions taken, not to have the Force of a Law; And, it was also declar'd, That if the Union should happen to take Effect, the Kingdom, notwithstanding, should remain an Absolute and Free Monarchy, and the Fundamental Laws receive no Alteration. But the *English Puritans* being too elated with the Hopes they had conceiv'd from an Union of the Nations, the High-Church Party grew jealous of them, and spoke boldly against the *Scots* in Parliament, Convocation and Pulpits, and defeated all Endeavours to accomplish that Union. They soon found King *James's* Weak-side, and knowing, that his Inclination to a tow'ring Prerogative, carried the Ascendant with him above all other Things, they cut out other Work for him, which was to advance his Prerogative in *Scotland*, to the Subversion of the Liberties of that Kingdom, both in Church and State, and concurr'd with him as heartily in it, as they oppos'd him in the Union.

In King  
Charles  
I's Reign.

In the Reign of King *Charles I.* we don't find it to have been once mention'd; for the Prejudices against the Puritans still encreasing, and the High-Church Party growing powerful at Court, by the Promotion of *Laud* to the Archbishop's See of *Canterbury*, an ill-timed and mistaken Zeal for the Church of *England*, had so much the Ascendant over that unhappy Prince, as to engage him with more Eagerness than his Father, to overturn the Constitution,  
and

and endeavour a Conquest of Scotland: Which was A. C. the fatal Rise of all his Misfortunes. 1706.

In the Reign of King Charles II. the Parliament of Scotland, did in 1670. pass an Act empowering his Majesty to grant a Commission under the great Seal of Scotland, for such Persons as he should think fit to name, to treat with Commissioners of England about the Union, but with this *Proviso*, That nothing they agreed upon should stand, except confirm'd by the Parliament of Scotland. When the Commissioners met, the King sent them the Five following Points to be consider'd, as the Subject Matter of the Treaty: 1. The Preserving to either Kingdom their *Laws Civil and Ecclesiastical* entire. 2. The Uniting of the Two Kingdoms into one Monarchy, under his Majesty, his Heirs and Successors, inseparable. 3. The reducing both Parliaments into one. 4. The stating of all Privileges, as to Trade, and other Advantages. 5. The securing the Conditions of the Union: And it was agreed, as a Preliminary, that except all was agreed on, no particular Thing resolv'd upon should be binding. When they came to consider the Matter, Sir John Nisby, one of the Commissioners for Scotland, a great Lawyer, and the King's Advocate, argued, That the Union could not be, as propos'd in the 2d. and 3d. Articles, because they were destructive to the Fundamental Government of the Kingdom of Scotland, and tended to take away their Parliaments, which, he said, the Parliament it self could not do; nor were the Commissioners, appointed for the Treaty, empowered to divest the Electors of that Power; and alledged an Act Parl. 8. Jac. 6. which declared it Treason, to attempt the Alteration of the Constitution of the Parliament. He alledg'd farther, that King James's Commission to treat was not of that Nature, and that his Commission ought to be the Rule of the Treaty; adding, that in the Union among the Republicks of Greece, each Republick reserved their Sovereignty. And the Earl of Lauderdale said, That it was the like among the United Provinces, the several Kingdoms of Spain, and the 13 Cantons of Switzerland. It was urg'd that it was the same as to Poland, and Lithuania; and as to the Republicks of Greece, they were



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1706.

were represented in their respective Commonwealths at the General Council of the *Amphibitiones*. Then as to the Constitution of the Parliament, the Commissioners of *Scotland* resolutely adher'd to it, 'That none of the constituent Members of the Parliament of *Scotland* should be excluded from making up the Parliament of *Great Britain*: For they could not exclude any of those from whom they had their Authority, but agreed, that his Majesty might call together both Parliaments to consult about the Publick Affairs of the Monarchy. There were also Debates among 'em about Appeals to Parliament from Courts of Judicature, whose Sentences in *Scotland* are not questionable but by Parliament; and that it would be an Inconsistency that one Part of the Monarchy should be liable to Appeals before the Parliament, and the other not. As to the Union of both Kingdoms into one Monarchy, the Scots Commissioners would agree to it on no other Terms, but in the Posterity of K. *James VI.* in which the *English* made some Difficulty, and thought Heirs and Successors enough; but the Scots insisted upon it, and alledg'd, That by the 11th. of *Henry VII.* an Usurper being crown'd, was reputed lawful Successor in *England*. This is the Substance of what was transacted in that Treaty, which continued from the 13th. of *Sept.* 1670. under several Adjournments, till the 14th. of *Nov.* following, when the *Scottish* Commissioners attended his Majesty, gave him an Account of what had past, and that all they had done was in Obedience to his Majesty's Commands; and that in consideration of his Interest and Greatness they had condescended that both Parliaments, entirely, should be united; and that nothing less could have satisfied the Parliament of *Scotland*, who had authorized them: And thus this Treaty broke off.

In the

Reigns of

James II.

and King

William

III.

In the Time of King *James II.* there was nothing done in the Union, the Court being sufficiently taken up with other Designs: But in the Reign of the late King *William* and Queen *Mary*, of glorious and blessed Memory, both Nations were too much distracted among themselves, and the King and his Ministers too busie about other arduous Affairs, to think, in earnest, of Uniting the Two Kingdoms. However, the same being proposed by the *Scottish*

Con.  
Coun.

Convention of the Estates, who appointed Commissioners to treat upon that Matter with *England*; his Majesty, in his Speech to both Houses of Parliament, on the 21<sup>st</sup>. of March 16<sup>th</sup>. recommended to their Consideration a *Union* with *Scotland*, tho' he did not mean it should be then enter'd upon, but they (the *Scotch*) having propos'd this to him some time since, and the Parliament there having nominated Commissioners for that Purpose, he should be glad that Commissioners should be nominated here, to treat with them, and to see if such Terms could be agreed on, as might be for the Benefit of both Nations, so as to be ready to be presented to him in some future Session. The Parliament took little notice of this faint Recommendation from the Throne; so that no Answer was return'd to the *Scotch* Parliament; and that Business rested till the Year 1700 † when the Court, † See my History of King William, Vol. III. p. 445. 446. being at a Loss how to recover a false step they had made in relation to *Scotland*, the King, in his Answer to the Lords Address, against the *Scotch* Settlement at *Durien*, took that opportunity of Putting the House of Peers in Mind of what he recommended to his Parliament, soon after his Accession to the Throne, That they would consider of an *Union* between the Two Kingdoms; That his Majesty was of Opinion, that nothing would contribute more to the Security and Happiness of Both; and was inclin'd to hope that after they had lived near a hundred Years under the same Head, some happy Expedient might be found for making them one People, in case a Treaty were set on Foot for that Purpose: And therefore he very earnestly recommended that matter to the Consideration of the House. Hereupon the Lords fram'd and pass'd a Bill for Authorizing certain Commissioners of the Realm of *England*, to treat with Commissioners of *Scotland* for the *Wear* of both Kingdoms: But the Commons, refusing their Concurrence to this Bill, the Business of the *Union* went no farther.

Heaven, it seems, reserv'd for the Triumphant Reign of Her present Majesty, the Additional Honour and Blessing of Accomplishing so great a Work: For tho' that important Negotiation, † which was set on Annals, Foot soon after her Majesty's happy Advancement p. 159.

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to the Throne, did unfortunately miscarry, thro' the Prevalency of a Party then in Power; yet some subsequent Transactions in Scotland (particularly the passing the Act of Security for that Kingdom) which rais'd no small Clamour in England, and the Necessity of securing the Succession in the Protestant Line, which could not well be done, but by engaging the Scots to acknowledge the same Successor with England: These Considerations, I say, still reviving and redoubling the Zeal and Application of her Majesty's Ministers, a Clause was inserted \* in 'An Act

\* See the 3d Vol. of these Annals, p. 223. and the 4th Vol. p. 184.

† Pass'd March

4. 1705.

† See the 4th Vol. of these Annals, p. 33. and p. 77.

Apr. 10.

Foot.

Accordingly

her Majesty

did, soon \*

after

The Queen

appoints

English

Commissioners to

treat of an

Union with

Scotland.

See the

Appendix,

Num. I.

† for the Effectual Securing the Kingdom of England from the Apparent Dangers that may arise from several Acts lately pass'd in Scotland: Empowering her Majesty to appoint Commissioners for this Kingdom, to Treat with Commissioners to be impower'd by Authority of Parliament in Scotland, concerning a nearer and more compleat Union between the Two Kingdoms, as soon as an Act should be made there

for that Purpose. Such an Act having, after great

† struggle, been pass'd in Scotland, on the 21st of

September, 1705. Her Majesty on the 27th of the

following Month, acquainted her English Parlia-

ment with her Intention, in a short time, to cause

Commissions to be made out, to put the Treaty on

the part of England, viz. Thomas Archbishop of Can-

terbury; William Cowper, Esq; Keeper of the Great

Seal of England; John Archbishop of York; Sidney

Lord Godolphin, High Treasurer of England; Thomas

Earl of Pembroke and Montgomery, President of the

Council; John Duke of Newcastle, Keeper of the Pri-

vy Seal; William Duke of Devonshire, Steward of the

Household; Charles Duke of Somerset, Master of the

Horse; Charles Duke of Bolton, Charles Earl of Sun-

derland, Evelin Earl of Kingston, Charles Earl of Car-

lisle, Edward Earl of Orford, Charles Viscount Townsend,

Thomas Ld Wharton, Ralph Ld Grey, John Ld Powlet,

John Ld Somers, Charles Ld Hallifax, John Smith, Esq;

William Cavendish Marquis of Hartington, John Man-

ners Marquis of Granby, Sir Charles Hedges Knight,

and Robert Harley Esq; Principal Secretaries of State;

Henry Boyle Esq; Chancellor, and under Treasurer of

the Exchequer; Sir John Holt Knight, Chief Justice

of

## Queen A N N E's Reign.

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of the Court of Queen's-Bench; Sir Thomas Trevor Knight, Chief Justice of the Court of Common Pleas; Sir Edward Northey Knight, Attorney-General; Sir Simon Harcourt Knight, Solicitor General; Sir John Cook Knight, Doctor of Laws, Advocate-Genetal; and Stephen Waller Doctor of Laws.

The Commissioners on the part of Scotland were † Feb. 27. nam'd some time † before, viz. James Earl of Seafield, <sup>Commissioners on the part of Scotland.</sup> Lord Chancellor of Scotland; James Duke of Queensberry, Lord Privy Seal; John Earl of Marr, and Hugh Earl of Loudoun, Principal Secretaries of State; John Earl of Sutherland, John Earl of Morton, David Earl of Wemyss, David Earl of Leven, John Earl of Stair, <sup>See the Appendix, Num. II.</sup> Archibald Earl of Roseberry, David Earl of Glasgow, Deputies of the Treasury; the Lord Archibald Campbell, Brother to the Duke of Argyle, Thomas Viscount Duplin, the Lord William Ross, one of the Commissioners of the Treasury, Sir Hugh Dalrymple, President of the Session; Adam Cockburn of Ormestoun, Lord Justice Clerk; Sir Robert Dundas of Arnistoun, and Mr. Robert Stewart of Tillicultrie, Lords of the Session; Mr. Francis Montgomery, one of the Commissioners of the Treasury; Sir David Dalrymple, one of her Majesty's Solicitors; Sir Alexander Ogilvie, Receiver General; Sir Patrick Johnstoun, Provost of Edinburgh; Sir James Smolles of Bonhill, George Lockhart of Carnwath, William Morison of Prestongrange, Alexander Grant, Will. Seton of Pitmedden, Jun. John Clark of Pennycook, Jun. Hugh Montgomery, late Provost of Glasgow, Daniel Stewart, and Daniel Campbell of Arutennet. The English Commissioners named Mr. George Doddington, and the Scotch Sir David Nairne, to be their Secretaries.

On Tuesday the 16th of April, the Lords Commissioners of both Kingdoms, met at the Council-Chamber in the Cock-pit near Whitehall, (the Place appointed for their Conferences) and their Commissions being open'd and read by the respective Secretaries, the Lord Keeper of the Great Seal of England, address'd himself to the Lords Commissioners for Scotland, in these Words,

My Lords,

WE the Commissioners appointed by Her Majesty, and Authoriz'd by the Parliament of England, to Consult and Treat with your Lordships

*The Treaty of Union opens, Apr. 16.*

*The Lord Keeper's Speech.*

ships, as Impowred in like manner, by Her Majesty and the Parliament of *Scotland*, concerning an Union of the two Kingdoms, and such other things as We, the Commissioners on both Parts, shall think convenient and necessary for the Honour of Her Majesty, and the Common Good of both Kingdoms, do apprehend there never was (in any Assembly of this nature) so little Occasion as at present, for the Commissioners of *England*, to give any verbal Assurances of their Zeal to Promote and Compleat (so far as in their Power) the great and good Design we are met about, since it cannot be doubted; but that we bring along with us the same Sentiments, which so lately appeared in the Parliament of *England*, when they took Care to manifest, by a solemn Act, that they did postpone all other Considerations to their evidencing a good and friendly Disposition towards the Kingdom of *Scotland*.

'The Parliament of *England*, in making that unexpected Advance, seem'd Resolv'd, if possible, to attain that Union, which hath been so long thought necessary, by all that wish well to the Prosperity of both Nations.

'And we most sincerely assure your Lordships, That we accordingly meet your Lordships, with Hearts fully Resolv'd to use our utmost Endeavours to remove all Difficulties in this Treaty, to prevent all Misunderstandings, to cherish and improve the good Dispositions to one another we meet with, to have the general and joint Good of both Kingdoms, solely in our View, and not the Separate of either, but to Act, as if we were already United in Interest, and had nothing left to consider but what Settlements and Provisions are most likely to conduce to the common Safety and Happiness of this whole Island of *Great-Britain*.

'Which Measures, if pursued on both Parts, we hope may enable us to prepare such Terms of Union as may prove Satisfactory to Her Majesty, and the Parliaments of both Kingdoms.

The Earl of Seafeld, Lord High Chancellor of Scotland, on the part of the Lords Commissioners for Scotland, spoke as followeth. 1706.

My Lords,

THE Lords Commissioners for Scotland have de-  
fired me to assure your Lordships that they  
meet you on this Occasion, with great Willingness  
and Satisfaction, to treat of an Union between the  
two Kingdoms, and of such other Matters and  
Concerns as may be for Her Majesty's Honour,  
and the maintaining a good Understanding be-  
tween the two Nations.

The Chan-  
cellor of  
Scotland's  
Speech.

'We are convinced that an Union will be of great  
Advantage to both; the Protestant Religion will  
be thereby the more firmly secur'd; the Designs of  
our Enemies effectually Disappointed, and the  
Riches and Trade of the whole Island Advanced.

'This Union has been often Endeavour'd, both be-  
fore, and since the Kingdoms were United in Al-  
legiance under one Sovereign; and several Treaties  
have been set on foot for that End, tho' without  
the desired Success; but now we are hopeful that  
this shall be the happy Opportunity of Accomplish-  
ing it: Her Majesty hath frequently signified Her  
Good Inclinations towards it; and we are the more  
Encouraged to expect Success in this Treaty, by  
the good Disposition appeared in the Parliament  
of Scotland for it, and by the Friendly Proceedings  
in the last Session of the Parliament of England,  
which gave general Satisfaction.

'We have great Confidence in your Lordships  
good Intentions, and we shall be ready on our parts  
to enter into such Measures with you, as  
may bring the Treaty to such a Conclusion, as  
may be acceptable to Her Majesty, and to the  
Parliaments of both Kingdoms.

These Speeches being over, it was agreed and  
order'd, That Copies of the Two Commissions  
should be prepar'd and sign'd by the respective Se-  
cretaries, and interchang'd against the next Meet-  
ing, which was put off till the Monday following.

Accordingly

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Second  
meeting

April 22.

Articles of  
Prelimina-  
ries.

Accordingly, on the 22d. of April, they met again, and the Lord Keeper, in Name of the Lords Commissioners for England, delivered to the Board Articles of Preliminaries, which were read, as followeth.

I. 'That all Proposals made by either side, be made in Writing, and every Point when agreed shall be reduced into Writing.

II. 'That no Point, tho' agreed on, and reduced into Writing, shall be Obligatory on either side, till all Matters be adjusted in such manner as will be proper to be laid before the Queen, and the two Parliaments for their Approbation.

III. 'That there be a Committee appointed, consisting of a certain Number of each Commission to Revise the Minutes of what passes, which are not to be inserted by the Secretaries in their respective Books, but by Order of the said Committee, having first made Report thereof to the respective Commissioners, and received their Approbation of the same.

IV. That all the Proceedings of the Commissioners of both Kingdoms, during the Treaty, be kept secret.

The Lord Keeper also delivered to the Board the following Proposal, which was Read, *viz*: 'That the two Kingdoms of England and Scotland be forever United into one Kingdom by the Name of Great-Britain; That the United Kingdom of Great-Britain be Represented by one and the same Parliament, and that the Succession to the Monarchy of the United Kingdom of Great-Britain, in case of Failure of Heirs of her Majesty's Body, be according to the Limitations mentioned in an Act of Parliament, made in England, in the 12th. and 13th. Year of the Reign of the late King William, Intituled, *An Act for the further Limitation of the Crown, and the better securing the Rights and Liberties of the Subject*.

Third  
Meeting,

April 24.

After which the Commissioners adjourn'd to the 24th. of the same Month, upon which day the Lord Chancellor of Scotland acquainted the Board, That the Lords Commissioners for Scotland did agree to the Preliminary Articles proposed by the Lords Commissioners for England at the last Meeting, for Regulating



lating the Methods of Proceedings in this Treaty. He also deliver'd to the Board the following Proposals, which were read:

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1. That the Succession to the Crown of Scotland in case of Failure of Heirs of Her Majesty's Body, shall be Establish'd upon the same Persons mentioned in an Act of Parliament made in England in the 12th and 13th Years of the Reign of the late King William, Intituled, *An Act for the further Limitation of the Crown, and better Securing the Rights and Liberties of the Subjects.*

2. That the Subjects of Scotland shall for ever enjoy all Rights and Privileges as Natives of England in England, and the Dominions thereunto belonging, and Reciprocally, That the Subjects of England enjoy the like Rights and Privileges in Scotland.

3. That there be a free Communication and Interchange of Trade and Navigation between the two Kingdoms, and Plantations thereunto belonging, under such Regulations, as in the Progress of this Treaty shall be found most for the Advantage of both Kingdoms.

3. That all Laws and Statutes in either Kingdom, contrary to the Terms of Union, be repealed. The Lords Commissioners for England withdrew, and being return'd, The Lord Keeper, in their Lordships Names, delivered to the Board the following Answer,

The Lords Commissioners for England are so fully convinced, that nothing but an entire Union of the two Kingdoms will settle perfect and lasting Friendship between them, that they therefore think fit to decline entering into any further Consideration upon the Proposal now made by the Lords Commissioners for Scotland, as not tending to that End, and desire that the Lords Commissioners for Scotland would be pleased to give in their Answer to the Proposal delivered on Monday the 22d Instant, by the Lords Commissioners for England, in order to an entire Union of both Kingdoms.

The next day, the Lord Chancellor, in the Name of the Commissioners for Scotland, delivered to the Board an Answer to the Proposal made on the 22d April 25. by the Lords Commissioners of England, with a Provision therein mentioned, which was read, as follows:



## The ANNALS of

'The Lords Commissioners for *Scotland*, have considered the Proposal given in to them by the Lords Commissioners for *England* on Monday the 22d Instant, and do agree, that the two Kingdoms of *Scotland* and *England*, be for ever United into one Kingdom, by the Name of *Great-Britain*; That the United Kingdom of *Great-Britain* be Represented by one and the same Parliament, and that the Succession to the Monarchy of the Kingdom of *Great-Britain* (in case of Failure of Heirs of her Majesty's Body) shall Descend upon the most excellent Princess *Sophia*, Electress and Dutches Dowager of *Hanover*, and remain to her and the Heirs of her Body, being Protestants, to whom the Succession of the Crown of *England*, is provided by an Act made in the 12th and 13 years of the late King *William*, Intituled, *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subjects, and excluding all Papists; and who shall marry Papists, in the Terms of the said Act*; with this Provision, That all the Subjects of the United Kingdom of *Great-Britain*, shall have full Freedom and Intercourse of Trade and Navigation, to, and from any Part or Place within the said United Kingdom, and Plantations thereunto belonging; and that there be a Communication of all other Privileges and Advantages, which do, or may belong to the Subjects of either Kingdom.

The Lords Commissioners for *England* withdrew, and being returned, the Lord-Keeper did in the Name of the Lord's Commissioners for *England*, deliver to the Board the Reply following:

'The Lords Commissioners for *England* are of Opinion, that the Provision added by the Lords Commissioners for *Scotland*, to the Proposal made by the Lords Commissioners for *England*, on the 22d Instant, is a necessary Consequence of an entire Union; And therefore their Lordships do agree to the said Provision, under such Terms as in the further Progress of this Treaty, shall be found to be for the common Advantage of both Kingdoms.

The same day a Committee was appointed, (in pursuance of the Third Article of Preliminaries,) for Revising the Minutes, and there were nominated

nated on the Part of *England*, the Lord Grey, John Smith Esq; Speaker of the House of Commons, Sir Thomas Trevor, Sir John Cook, and Doctor Walker, or any Three of them; And on the Part of *Scotland*, the Earl of Sutherland, the Earl of Leven, the Lord President of Session, the Lord Justice Clerk, John Clark of Pennicook, or any Three of them.

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Four days after, the Lords Commissioners met <sup>† Fifth</sup> again, and the Lord Keeper, in the Name of the <sup>Meeting,</sup> *English* deliver'd to the Board the following Pro-April 29  
posal:

‘ That there be the same Customs, Excises, and  
‘ all other Taxes; and the same Prohibitions, Re-  
‘ strictions and Regulations of Trade, throughout  
‘ the united Kingdom of *Great-Britain*.

The Lords Commissioners for *Scotland* withdrew, and being return'd, the Lord Chancellor, in their Lordships Names, delivered to the Board the following Answer.

‘ The Proposal given in by your Lordships con-  
‘ tains so many Particulars, that the Lords Com-  
‘ missioners for *Scotland* do propose, before they  
‘ offer any Answer to it, That there be a Com-  
‘ mittee appointed of an equal Number of each side  
‘ to adjust the several Points therein, and desire that  
‘ your Lordships would order an Account of the Tax-  
‘ es, and other things in your Proposal, to be laid be-  
‘ fore the said Committee, as the Lords Commis-  
‘ sioners for *Scotland* shall be ready to do on their parts.

The Lords Commissioners for *England* withdrew, and being returned, the Lord Keeper, in their Lordships Names, delivered to the Board the Reply following,

‘ The Lords Commissioners for *England* have de-  
‘ sired a State of the Taxes, and other things in their  
‘ last Proposal mention'd, to be laid before them, in  
‘ order to refer the same to the Consideration of a  
‘ Committee, to consist of an equal Number of each  
‘ side, which their Lordships propose to be the Num-  
‘ ber of Eleven on each part, and of them any Six  
‘ to have Power, to proceed in the Matters referr'd  
‘ to them.

The Lords Commissioners for *Scotland* agreed to appoint a Committee, to consist of Eleven of  
C 2 each

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*Sixth  
Meeting,  
May 1.*

each side, and, of them any Six to have Power to proceed, and that they should be nominated the next Meeting

Accordingly on the 1st of May, the Lords Commissioners proceeded to the Nomination of that Committee, and the *English* named the Dukes of *Somerset* and *Bolton*, the Earl of *Sunderland*, the Lords *Townsend*, *Wharton* and *Somers*, the Speaker of the House of Commons, the Marquis of *Harrington*, Mr. Secretary *Harley*, *Henry Boyle*, Esq; and Sir *Simon Harcourt*. The *Scotch* appointed the Lord Chancellor, the Duke of *Queensberry*, the Earls of *Sutherland*, *Leven* and *Stair*, the Lord *Duplin*, the Lord President of Session, the Lord Justice Clerk, and Sir *Patrick Johnston*: And it was agreed, that this Committee should meet the next Morning, and have Power to adjourn themselves.

*Seventh  
Meeting,  
May 3.*

The Lords Commissioners being met again on Friday the 3d. of May, the Lord Treasurer of *England* acquainted the Board, 'That he was directed by the Lords Commissioners for *England*, to let their Lordships know, That the Accounts of the Revenues and Debts of *England*, desir'd the 20th. past, to be laid before the Board, had been prepared, but were not drawn in such a manner as would fully answer the end for which they were propos'd; for which Reason they were directed to be drawn in another Method, and hop'd they would be got ready to lay before the Board the Monday following, to which Day they adjourn'd. Then † the Lord Keeper acquainted the Board, 'That the Lords Commissioners for *England* had delivered to their Secretary, a state of the Revenues and Income of *England*, and also a state of the Debts of the said Kingdom, which were to be laid before the Lords of the Committee of both Kingdoms at their next Meeting.

*Eight  
Meeting,  
† May 6.*

*Ninth  
Meeting,  
May 9.*

On the 9th. of the same Month. the Lord Chancellor acquainted the Board, That the Lords Commissioners for *Scotland* had delivered to their Secretary, an Account of the Revenue in *Scotland*, and the Sum about which the Debts of that Kingdom would amount to, to be laid before the Lords of the Committee of both Kingdoms. He also deliver'd to the Board,

Board, an Answer to the Proposal made by the A. C. Lords Commissioners for England on the 29th. of April, which was read, as follows,

'The Lords Commissioners for Scotland do agree, That all parts of the United Kingdom of Great-Britain be under the same Regulations, Prohibitions and Restrictions, and liable to equal Impositions and Duties for Export and Import: But in regard several of the Funds relating to Customs, are already appropriated for the Payment of Debts properly belonging to England, it's proposed that an Equivalent be allowed for them.

'The Lords Commissioners for Scotland do also agree, That all the Subjects of the United Kingdom shall be liable to equal Land-Taxes, or Taxes on the Pound Rent, providing the Proportion for Scotland shall only be 12000 l. when one Shilling is impos'd on the Pound Rent in England; so that 48000 l. in Scotland shall be reckon'd equal to the 4 Shillings Aid now impos'd on England, and so proportionable, and to be rais'd in the same manner now used in Scotland, and free of all Charges. That the private Rights of Corporations and Companies are reserv'd to be consider'd in the Course of this Treaty.

The Lord Chancellor, in the Name of the Scotch Commissioners, deliver'd also this Proposal, viz. That neither of the Kingdoms be burden'd with the Debts of the other, contracted before the Union.

The next Day the Lord Keeper, in the Name of the Lords Commissioners, for England, deliver'd to the Board the following Reply to the Answer made the Day before, by the Lords Commissioners for Scotland, to their Lordships Proposal on the 29th of April last.

'The Lords Commissioners for England observing, that in the Answer made by the Lords Commissioners for Scotland the 9th Instant, to their Lordships Proposal of the 29th of April, That there be an Equality of Customs, Excises, and all other Taxes throughout the United Kingdom of Great-Britain, the Lords Commissioners for Scotland take no Notice of what relates to Excises; the

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Lords Commissioners for England do therefore think it necessary to insist upon their said Proposal, as that without which there cannot be an entire Union between the two Kingdoms; of which their Lordships are so desirous on their Parts, that they are ready to agree to an Equivalent for what Scotland shall be taxed towards Payment of the Debts of England, in all Particulars whatsoever.

Eleventh

Meeting,

May 13,

Three Days † after, the Lord Chancellor of Scotland deliver'd a further Answer to the Proposal made by the English Commissioners, on the 20th of April. viz.

The Lords Commissioners of Scotland did take into their Consideration the Proposal offered by the Lords Commissioners for England the 29th of April, and found it comprehended so many Particulars, That they judg'd it most proper to answer it Point by Point. Accordingly on the 9th Instant, they gave an Answer as to the Customs and Land-tax, and did not mention any thing therein of the Excises, because the Consideration of these was depending before the Committee of the Commissioners of both sides; but to satisfy the Lords Commissioners for England, that nothing shall be wanting on the part of the Lords Commissioners for Scotland, that is necessary, for the Attaining an intire Union, they do agree to the Equality of Excises on Ale, Bees, Mump, Cyder, Sweets, Perry, Low-Wines, Aquavitz and Spirits; but they do propose an Exemption from all other Burthens and Excises within Scotland for a competent Time, to be adjusted in the Course of this Treaty; That the Subjects of Scotland may (by the benefit arising from the Communication of Trade) be in a Capacity to bear a Proportion of other Burthens and Excises, being willing at the Commencement of the Union, to bear equal Excises on all that is Exported from Scotland to England, or the Plantations; and the Lords Commissioners for Scotland do hope, that the Lords Commissioners for England will be convinced that the Immunity from these other Burthens and Excises for a Term of Years, is consistent with an entire Union, and will not put the Trade on an unequal Foot.

Foot, when the present Circumstances of both Kingdoms are duly considered.

And whereas the Lords Commissioners for *England*, did, by their last Proposal, declare they were ready to agree to an Equivalent for what *Scotland* shall be Taxed towards Payment of the Debts of *England* in all Particulars whatsoever, the Lords Commissioners for *Scotland* are ready to enter with their Lordships into the Consideration of this Equivalent, and how to make it effectual? Hereupon, the Lords Commissioners for *England* withdrew, and being returned, The Lord Keeper in their Lordships Names, delivered to the Board the following Reply to the foregoing Answer.

The Lords Commissioners for *England*, taking into their Consideration, the Paper delivered to them this Meeting, by the Lords Commissioners for *Scotland*, are so sensible of the Lords Commissioners for *Scotland's* having agreed to an Equality of Excises, as to all Excisable Liquors (as the Lords Commissioners for *England* understand the same) and to an Equality of Excises and Burthens on all Goods Exported to *England*, and the Plantations, which the Lords Commissioners for *England* do not doubt, will be agreed to by the Lords Commissioners for *Scotland*, as to all Goods exported to all parts whatsoever, that to shew their Readiness to comply with every thing Reasonable, for the bringing this Treaty to a good effect; they are willing to enter into the Consideration of the particular Excises and Burthens point by point, which being of several Natures, so that they will require to be distinctly considered, the Lords Commissioners for *England* find it necessary to desire a little time for giving their Opinion on each particular Head; but in general are inclin'd to consent to an Exemption of Excises and Burthens, as propos'd in such Cases, where it may be done without Prejudice to the Trade or Manufactures of *England*: And as to those Excises, where Exemptions cannot be consented to without such Inconveniency, the Lords Commissioners for *England* will consider of a proper Equivalent, or some other Expedient to promote the desired Union of the two Nations.

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‘ And as to those Customs and Excises to which their Lordships have already Agreed, and for which an Equivalent is to be allowed to the Kingdom of *Scotland*; the Lords Commissioners for *England* do think it would tend to the Dispatch of ‘ of this Treaty, that the Committee already appointed should continue to sit, in order to the Adjusting that Matter.

Twelfth  
Meeting,  
May 15.

On the 15th of the same Month, the Lord Keeper, in the name of the Lords Commissioners for *England*, deliver’d to the Board the following Answer to the Proposal made by the Lords Commissioners for *Scotland* on the 13th.

‘ The Lords Commissioners for *England*, taking ‘ into Consideration the Proposal made by the Lords ‘ Commissioners for *Scotland* on the 13th Instant, ‘ That the Kingdom of *Scotland* should be for a ‘ competent time exempted from all Excises and ‘ Burdens, other than such as have been agreed unto by the Lords Commissioners for *Scotland*; have, ‘ in order to comply with the said Proposal, so far ‘ as can be done, without Prejudice to the Trade and ‘ Manufactures of *England*, distinctly enumerated and ‘ consider’d the several Excises and Burdens, which ‘ are now payable by virtue of divers Acts of Parliament in *England*, and which have not yet been ‘ agreed to by the Lords Commissioners for *Scotland*; and do find the same to consist of the Particulars ‘ which are hereafter mention’d, together with the ‘ Opinions and Answers of the Lords Commissioners ‘ for *England* to the said Proposal, as to each of the ‘ said respective Duties.

‘ I. The Duty on Stamp-Paper, Vellum, and ‘ Parchment, one Moiety whereof expires on the ‘ first of *August*, 1710. The Lords Commissioners ‘ for *England* do consent, that the Kingdom of *Scotland* be exempted from the whole Duty until the ‘ first of *August*, which shall be in the Year of our ‘ Lord, 1710.

‘ II. The Duty on Births, Marriages and Burials, ‘ which being to expire the first of *August* next, and ‘ therefore before the desir’d Union can take Place, ‘ the Lords Commissioners for *England* do conceive ‘ it to be wholly unnecessary to enter further into ‘ the Consideration of that Duty.



III. The Duty payable on Windows and Lights till the first of *August*, 1710. the Lords Commissioners for *England* are of Opinion, that the Kingdom of *Scotland* shall be exempted from the said Duty during that Term. A. C.  
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IV. The Duty on Coals and Culm, payable to the 30th of *September*, 1710. As to this Duty, the Lords Commissioners for *England* do consent, that the Kingdom of *Scotland* shall remain exempted from this Duty during the said Term, as to all Coals and Culm consum'd within the Kingdom of *Scotland*, and no otherways.

V. The Duty on Mault granted for no longer time than till the 24th of *June*, 1707. the Lords Commissioners for *England* do consent, that the Kingdom of *Scotland* shall remain exempted during the said Term from the said Duty.

VI. The Duty on Salt; as to this Duty the Lords Commissioners for *England*, to shew their Willingness to ease, for some time, the Poor of the Kingdom of *Scotland*, do consent that the Kingdom of *Scotland* shall, for a competent time after the Union, (to be settled in the progress of this Treaty) remain exempt from the payment of that Duty for all Salt spent in Kind, or us'd in Provisions spent within the Kingdom of *Scotland*. Provided, that the Lords Commissioners of *Scotland* do propose effectual Methods to the Lords Commissioners for *England*, for securing that the like Duties as are now payable in *England*, be pay'd and collected in the Kingdom of *Scotland* after the Union, without fraud, as to all Salt exported from that Kingdom, either in Kind or Provisions.

The same day, the Lord Chancellor, in the name of the Lords Commissioners for *Scotland*, deliver'd to the Board an Explanation of their Agreement to the Excises, &c. mentioned in their Lordships Paper deliver'd to the Board the 13th instant, viz.

The Lords Commissioners for *Scotland*, by their Paper deliver'd the 13th instant, did mean an Equality on all excisable Liquors, as the Lords Commissioners for *England* did understand it; and they are willing there be an Equality of Excises and Burdens on all Goods exported to all Places whatsoever,

A. G. forever, which they agreed to by their Proposal the  
1706. 9th instant.

*Thirteenth  
Meeting,  
May 17.*

Two Days after, the Lord Chancellor, in the name of the Lords Commissioners for Scotland, deliver'd to the Board the following Paper, in relation to the several Taxes and Excises, and other Burdens they had agreed to, and renewing their Proposal of the 12th instant, for a general Exemption for some competent time, from all other Excises and Burdens besides those already agreed to, which was read, as follows.

'The Lords Commissioners for Scotland, since the last General Meeting, have again consider'd the Proposition made by the Lords Commissioners for England the 29th of April last, viz. That there be the same Customs, Excises, and all other Taxes, and the same Prohibitions, Restrictions and Regulations of Trade throughout the United Kingdom of Great-Britain, with the Papers which have since been deliver'd by the Commissioners of both Kingdoms upon that Subject, and do with great Satisfaction observe, that the Difference as to that important Proposal is brought to a very narrow Compass. And the Lords Commissioners for Scotland take this occasion to acknowledge the Sense they have of the regard shewn by the Lords Commissioners for England, for the Subjects of Scotland after the desired Union: And the Lords Commissioners for Scotland having by their several Proposals and Answers agreed to the same Regulations of Trade, and to an Equality of Customs and Excises upon all excisable Liquors, and a Quota of Land-Tax, all to commence from the Union; as also to an Equality of all other Taxes after some Years, they do conceive that they have fully comply'd with the said Proposal of the 29th of April, excepting only that they have propos'd an Exemption for some time from all further Burdens than those expressly consented to. And as to the Exemption desir'd, the Lords Commissioners for Scotland are very sensible, that the Lords Commissioners for England have not only by their Paper of the 12th Instant declared, that they were inclin'd to consent in general to an Exemption of Excises and Burdens (as propos'd) in such cases, where it

might

might be done without Prejudice to the Trade and Manufactures of *England*; but that in pursuance of that good Disposition, their Lordships by their Paper of the 14th Instant have consented to an Exemption in favour of the Subjects of *Scotland*, from the several Duties, and for the particular Terms therein mention'd, whereby the Immunity desir'd is so far granted. But the Lords Commissioners for *Scotland*, from their Consideration of the present Circumstances of that Kingdom, find themselves under a necessity to renew their Proposal of a General Exemption for some competent time from all other Excises and Burdens, besides those great Duties and Taxes already consented to; that the Subjects of *Scotland*, may by the Benefit of Trade, be enabled cheerfully to bear an Equality of all other Burdens, which will greatly advance a firm Union and Coalition of Affection and Interest betwixt the two Kingdoms.

The next day, the Lord Keeper, in the Name of *Parliament* the Lords Commissioners for *England*, deliver'd to Meeting, the Board their Answer to the Paper deliver'd by May 18. the Lords Commissioners for *Scotland* the day before, viz.

The Lords Commissioners for *Scotland* on the 9th Instant, propos'd a Quota of a Land-Tax, and agreed to the same Regulations of Trade, and to an Equality of Customs; and on the 13th agreed to an Equality of Excises upon all excisable Liquors; but at the same-time their Lordships propos'd an Exemption from all other Burdens and Excises within *Scotland* for a competent time.

The Lords Commissioners for *England* did the same day return Answer, That their Lordships would enter into the Consideration of the particular Excises and Burdens, point by point, and on the 15th Instant did return their Answer distinctly to the particular Excises and Burdens payable by virtue of the several Acts of Parliament in *England*, in such manner, as their Lordships had reason to hope, would have been to the entire Satisfaction of the Lords Commissioners for *Scotland*: But the Lords Commissioners for *England*, finding by the Paper deliver'd in on the 17th Instant by the Lords Commissioners for *Scotland*, that tho' they do take notice of

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of the said Answer of the 17th, yet their Lordships have thought fit to renew their Proposal of a general Exemption for some competent time, from all other Excises and Burdens, besides those their Lordships had already consented to, the Lords Commissioners for *England* did understand that Proposal of the 17th to extend only to such other Burdens and Excises as are now subsisting in *England*, to every one of which their Lordships think they have given a full and distinct Answer; and if it shall appear, that any Particulars have been omitted in that Answer, the Lords Commissioners for *England* will enter into the Consideration of them, and return their Opinion thereupon: But if the Lords Commissioners for *Scotland* would extend their Proposal of the 17th to an Exemption from all Burdens and Excises, which the Parliament of *Great Britain* may hereafter find necessary to impose on the United Kingdom, the Lords Commissioners for *England* are of opinion, that it cannot be supposed the Parliament of *Great Britain* will ever lay any sort of Burdens upon the United Kingdom, but what they shall find of necessity, at that time, for the Preservation and Good of the Whole, and with due regard to the Circumstances and Abilities of every part of the United Kingdom; and to allow of any Supposition to the contrary, would be to form and set up an unanswerable Argument against the Union it self. Therefore the Lords Commissioners for *England* do desire, that the Lords Commissioners for *Scotland* would take into their Consideration the several Particulars in that Paper deliver'd to them by the Lords Commissioners for *England* on the 15th Instant, and return such Answer to them as their Lordships shall think fit.

Fifteenth  
Meeting,

May 21.

Three days \* after the Lord Chancellor, in the Name of the *Scotch* Commissioners, gave their Answer to the Papers deliver'd by the *English* the 15th and 18th Inst, which was as follows:

\* The Lords Commissioners for *Scotland* have taken into their Consideration the Papers deliver'd by the Lords Commissioners for *England*, on the 15th and 18th Instant, and do understand that the

first contains all the several kinds of Burdens and Excises now in use in England, besides those to which the Lords Commissioners for Scotland have already agreed.

And as to the several Particulars contain'd in the said Papers: And,

1. As to the Duties on Stamp Paper, Vellum, and Parchment, seeing the Exemption from that Imposition can have no Influence on Trade or Manufactories, and that the said Duty does affect the Securities of the Subjects Estates, adding likewise a new Condition, which being omitted, may make their Rights and Titles void; and further considering that the said Duty will be uneasy to the People, chargeable in collecting, and of small value; the Lords Commissioners for Scotland, do propose that the Kingdom of Scotland be wholly exempted from the same, or at least that the Exemption from the said Duties agreed to by the Lds Commissioners for England, in the said Paper of the 15th Instant, be prolong'd beyond the Year 1710, to a certain Period, as to that Moiety which is impos'd for Perpetuity.

2. As to the other particular Duties which expire in the Year 1710; or sooner, from which the Lords Commissioners for England, have agreed that the Kingdom of Scotland shall be exempted; the Lord Commissioners for Scotland do understand, that it was the meaning of the Lords Commissioners for England to extend that Exemption to the Duty laid on Cynders,

3. As to the Duty on Salt, the Lords Commissioners for England having consented that the Kingdom of Scotland shall, for a competent time after the Union, remain exempted from the payment of that Duty, for all Salt spent in Kind, or used in Provisions, within the Kingdom of Scotland, provided that the Lords Commissioners for Scotland should propose effectual Methods for securing that the like Duties as are now payable in England; be paid and collected in the Kingdom of Scotland after the Union, as to all Salt exported from that Kingdom, either in kind or Provisions; the Lords Commissioners for Scotland, have herewith given in a Scheme of such Regulations as have occur'd to them for Securing, that the Duty proposed be collected

lected in *Scotland*, as to all Salt exported from that Kingdom in Kind or Provisions, and are willing to agree to what other Methods shall be propos'd on that behalf by the Lords Commissioners for *England*: And their Lordships are ready to enter with the Lords Commissioners for *England*, on the Consideration of the Time to which the said Exemption shall be limited: And the Lords Commissioners for *Scotland* doubt not, but as the Lords Commissioners for *England* have agreed to the Exemption propos'd from all Burdens or Excises now in use, but those consented to by the Lords Commissioners for *Scotland*, that the Lords Commissioners for *England* will also agree, that the Kingdoms of *Scotland* remain exempted from any Duties (except those agreed to) which may be laid on by the Parliament of *England* before the Union.

And as to the General Exemption formerly propos'd on the part of *Scotland*, from all other Burdens than those consented to for a competent time; the Lords Commissioners for *Scotland* considering what the Lords Commissioners for *England* have observ'd, that it cannot be suppos'd that the Parliament of *Great-Britain* will ever lay any sort of Burdens upon the united Kingdom, but what they shall find of necessity, at that time, for the Preservation and Good of the Whole, and with due regard to the Circumstances and Abilities of every part of the united Kingdom: Therefore the Lords Commissioners for *Scotland*, to avoid the Difficulties that may arise in that matter, do agree not to insist further at present, but to leave the Continuation of the said Exemption to be determin'd by the Parliament of *Great-Britain*.

And the Lords Commissioners for *Scotland* having by this, and their former Papers, answer'd the Proposal made by the Lords Commissioners for *England*, on the 29th of *April*, concerning the Equality of Taxes; The Lords Commissioners for *Scotland* take this occasion to put the Lords Commissioners for *England* in mind of a Proposal given in to their Lordships the 9th instant, concerning the Quota of Land-Tax for the Kingdom of *Scotland*, not doubting but that the Lords Commissioners for *England* will agree to the same.

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The Lord Chancellor did also in the name of the Lords Commissioners for Scotland, deliver to the Board the following Paper, viz.

A. C.  
1706:

*Proposal for the effectual preventing the Exportation of Scotch Salt to England, or the Plantations, without paying the same Excises with which English Salt is charg'd, during the Exemption allow'd to Scotland from the said Duty.*

1. ' That no Salt be transported from Scotland to England by Land, under the Penalty of forfeiting the Salt and Horses us'd in transporting it, and paying ten Shillings for every Bushel of Salt so transported, for which the Carrier, as well as the Owner, shall be liable conjunctly and severally, and the Carriers to be imprison'd until the said Penalty be paid.
2. ' That all Salt Water-born be enter'd at a Custom Office, and that before Shipping there be a Report made, expressing to what Port the Ship or Vessel is bound; and if bound to any Port within Scotland, there shall be sufficient Security given for the Duty payable in six Months, with this condition, that in case a Certificate be return'd from the Collector or Collectors where the Ship or Vessel is bound, that the same Quantity was truly, and without Fraud, found loaded at the said Port or Ports, reasonable Allowance being made for waste since the Imbarkation; Then, and in that case the Bond for the Duty to become void: And in case the said Ship or Vessel be bound for England, or the Plantations, the Excise or Duty chargeable on the like Salt in England shall be presently paid in Money, and a Transire or Certificate subscrib'd by the Collector, expressing the quantity of the Salt enter'd, and the Duty paid; and if any Ship or Vessel load Salt on Board, and export the same without duly reporting, entering, or carrying the said Transire or Certificate along with him, to be produc'd at the Port of Discharge, the Ship or Vessel unloading shall be confiscated, and the Master imprison'd for three Months; and in case of any Fraud or Connivance in the Collector, or other Officers of the Custom-house, the said Collector, or other

A. C. other Officer, shall be liable to pay a Year's Salary, and be depriv'd of his Office.

1706,



3. As to Provisions; All Fishes or Flesh barrel'd for Exportation, are appointed to be packed and cur'd with Foreign Salt, without any mixture of Scotch or English Salt, by the Law of Scotland; which Foreign Salt falls under the Regulation of Foreign Trade, and there are no other valuable Provisions that can be exported from Scotland: and the Lords Commissioners for Scotland are willing to agree to any further Proposal that shall be made for preventing Fraud in exporting Scotch Salt, of Salted Provisions.

*The Queen comes to the meeting.*

*The same Day the Queen came to the Meeting, and being seated in her Chair, spoke to the Lords Commissioners as followeth:*

*Her Majesty's Speech to the Commissioners,*

*My Lords,*

I Am so much concern'd for the Union of the Two Kingdoms, that I could not satisfy my self without coming before I went out of Town, to see what Progress you had made in the Treaty, and to recommend very earnestly to you the bringing it to a happy Conclusion, with as much dispatch as the nature of it will admit, not doubting of the general Satisfaction which My Subjects of both Kingdoms will receive in finding you overcome all Difficulties to attain so great and publick a Good.

The Lord Keeper desir'd to know of her Majesty, if She would be pleas'd to hear the Proposals made on either side, and the Resolutions taken thereupon, read by the respective Secretaries; which her Majesty was pleas'd to allow of, and the same were read accordingly. This done, her Majesty went away, and the Lords Commissioners adjourn'd to the 23d. of the same Month, when the Lord Keeper, in the name of the Lords Commissioners for England, deliver'd to the Board the following Answer to the Paper deliver'd by the Lords Commissioners for Scotland the 21st. viz.

*Sixteenth Meeting, May 23.*

The Lords Commissioners for England having consider'd the Papers deliver'd by the Lords Commissioners for Scotland on the 21st. Instant, and being



being desirous to remove all Difficulties in this Treaty, return this Answer,

That whereas the Lords Commissioners for England have already consented, that the Kingdom of Scotland be exempted from the whole Duty on Stamp'd Paper, Vellum and Parchment till the 1st. of Aug. 1710. at which time one part thereof expires: The Lords Commissioners for England do now consent, that the Kingdom of Scotland shall not be charg'd with the other part of that Duty during the continuance of that Duty by any Act now in Force.

And do agree, It was, and is the Intent of the Lords Commissioners for England, That the Kingdom of Scotland be Exempted from the Payment of the Duty laid on Cynders, in such manner as the Lord Commissioners for England have before agreed, that the Kingdom of Scotland be Exempted from the Payment of the Duty upon Coal and Culmi.

And as to the Scheme propos'd by the Lords Commissioners of Scotland, for securing that the Duty on Salt now payable in England be collected in Scotland after the Union, as to all Salt exported from that Kingdom in Kind or Provisions; the Lords Commissioners for England have thought it necessary to receive some Information concerning that Matter, from the Officers principally concern'd in the Management of that Duty: and until the the Lords Commissioners for England can be satisfy'd concerning the sufficiency of those or other Methods for the end propos'd, they conceive they cannot properly enter, with the Lords Commissioners for Scotland, on the Consideration of the time to which the Exemption of Scotland from that Duty shall be limited.

And as to the Duties which may be laid on by the Parliament of England, before the Meeting of the Parliament of Great-Britain, for the Service of the Year 1707. The Lords Commissioners for England do agree, that the Kingdom of Scotland shall not be charged with those Duties, upon this Consideration, that the Parliament of Scotland do make the necessary Provision for the publick Charge and Service of the Year 1707. in that Kingdom; provided, that if the Parliament of England shall

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think fit to lay a further Charge on the Customs, or those Excises, of which the Lords Commissioners for Scotland have agreed to bear equal Burdens, in such cases, the Lords Commissioners for England propose the Kingdom of Scotland be liable to the same Customs, and Excises, having an Equivalent to be settled by the Parliament of Great-Britain: And as to the Quota of a Land-Tax for the Kingdom of Scotland, propos'd by the Lords Commissioners for Scotland, the Lords Commissioners for England do agree, whenever the Sum of 1997763 l. 8. s. 4. d. shall be enacted by the Parliament of Great-Britain to be rais'd in England on Land, and other things usually charg'd in Acts of Parliament for granting an Aid to the Crown by a Land-tax, the Kingdom of Scotland shall be charged by the same Act with the further Sum of 48000 l. as the Quota of that Kingdom to such Tax, and so proportionably for any greater or lesser Sum rais'd on the Kingdom of England by any Tax upon Land, and other things usually charg'd together with the Land.

Seven-  
teenth  
Meeting,  
May 24

The next day the Lord Chancellor, in the Name of the Lords Commissioners for Scotland, deliver'd to the Board the following Paper;

The Lords Commissioners for Scotland are very sensible of the Care which the Lords Commissioners for England have taken, to remove Difficulties in this Important Article, concerning common Taxes and Impositions; And their Lordships doubt not that the Joint Desires and Endeavours of the Lords Commissioners for both Kingdoms, will bring this Treaty to a good and speedy conclusion in every Point.

And as to the Particulars contain'd in the Answer given in by the Lords Commissioners for England the 23d. Instant, the Lords Commissioners for Scotland do accept the said Answer as satisfying, as to the Exemption of the Kingdom of Scotland, from the Duties on Stamp-Paper, Vellum and Parchment, and upon Cynders; and as to the Quota of Land-Tax for Scotland.

And as to the Article concerning the Sale, the Lords Commissioners for Scotland are very well satisfy'd, that the Lords Commissioners for England take

take what time they judge needful for informing themselves, and preparing the most proper Methods for securing what their Lordships propos'd; the Lords Commissioners for Scotland being very ready to concur on their part.

And as to the Duties which may be laid on by the Parliament of *England*, before the Meeting of the Parliament of *Great-Britain*, the Lords Commissioners for Scotland do understand, that the said Answer is intended by the Lords Commissioners for *England*, as an Agreement to the Proposal made by the Lords Commissioners for Scotland, That that Kingdom might remain exempted from all other Duties laid on by the Parliament of *England* before the Union, except those consented to: And the Lords Commissioners for Scotland do agree that all necessary Provision shall be made within the Kingdom of Scotland, for the Charge and Service of that Kingdom, during the time that shall intervene before the Meeting of the Parliament of *Great-Britain*.

And whereas the Lords Commissioners for *England* do propose, that if the Parliament of *England* shall think fit to lay a further Charge on the Customs, or those Excises of which the Lords Commissioners for Scotland have agreed to bear equal Burthens, in such cases the Kingdom of Scotland be lyable to the same Customs and Excises, having an Equivalent to be settled by the Parliament of *Great-Britain*, the Lords Commissioners for Scotland do consent in the Terms propos'd.

And seeing the Adjusting of the Equivalent, and settling the Endurance of the Exemption from the Duty on Salt may require some time, the Lords Commissioners for Scotland are ready, either to proceed on those Matters, until they be fully adjusted, or to enter on the consideration of the Constitution of the Parliament of *Great-Britain*, the Reservation of Laws and Judicatures, or any other remaining Head to be treated on, as shall be agreed by the Lords Commissioners of both Kingdoms, while in the mean time the Committee is preparing what lies before them.

The 25th of the same Month, the Lord Keeper, Eighteenth in the Name of the Lords Commissioners for *Eng- Meeting*,  
land, May 25.

A. C. land, deliver'd to the Board their Lordships Answer  
 1766. to the Paper deliver'd by the Lords Commissioners  
 for Scotland the Day before, viz.

“All the Matters which have hitherto been under  
 the Consideration of the Lords Commissioners for  
 both Kingdoms, appearing by the Paper deliver'd  
 by the Lords Commissioners for Scotland the 24th  
 Instant, to be adjust'd, except only the Determina-  
 tion of the Equivalent, and the time for which  
 the Exemption of Scotland from the Duty on Salt  
 is to endure; (both which things are put into a  
 proper Method to be brought to a Conclusion; )  
 The Lords Commissioners for England are ready  
 to receive any further Proposal from the Lords  
 Commissioners for Scotland, in order to the bring-  
 ing this Treaty to a speedy and happy Conclusion.

Nineteenth  
 Meeting,  
 1 May 27.

In the next Meeting, the Lord Chancellor, in the  
 Name of the Scotch Commissioners, acquainted the  
 Board, That they were preparing a Proposal,  
 concerning the Reservation of Laws and Judicatures  
 in Scotland after the Union, which would be ready  
 to be offer'd to the Board at the next Meeting.

Twentieth  
 Meeting  
 May 29.

Accordingly, on the 29th of May, the Lord Chan-  
 cellor, in name of the Lords Commissioners for Scot-  
 land, deliver'd the following Proposal :

“The Lords Commissioners for Scotland, having  
 already agreed to an Equality of Customs and Ex-  
 cise upon all excisable Liquors, and to the same  
 Regulations of Trade throughout the whole U-  
 nited Kingdom, as a consequence thereof, their  
 Lordships do now agree, that the Laws concerning  
 Regulations of Trade, Customs and Excise upon  
 all excisable Liquors, be the same in Scotland after  
 the Union as in England,

“But the Lords Commissioners for Scotland do pro-  
 pose, That all other Laws in use within the King-  
 dom of Scotland, do, after the Union, and notwith-  
 standing thereof, remain in the same Force as be-  
 fore; but alterable by the Parliament of Great-Bri-  
 tain, with this difference betwixt the Laws concern-  
 ing publick Right, Policy and Government, and  
 those which concern private Right; that the Laws  
 which concern publick Right, Policy and Govern-  
 ment may be made the same throughout the whole  
 United Kingdom: but that no Alteration be made  
 in

in Laws which concern private Right, except for evident Utility of the Subjects within that part of the United Kingdom now called Scotland. And as to the Judicatures within Scotland, the Lords Commissioners for Scotland do propose as followeth.

That the Court of Session, or College of Justice, do, after the Union, and notwithstanding thereof, remain in all time coming within Scotland, as 'tis now constituted by the Laws of that Kingdom, and with the same Authority and Privileges as before the Union; subject nevertheless to such Regulations, for the better Administration of Justice, as shall be made by the Parliament of Great-Britain.

That the Court of Justiciary do also, after the Union, and notwithstanding thereof, remain in all time coming within Scotland, as 'tis now constituted by the Laws of that Kingdom, and with the same Authority and Privileges as before the Union; subject, nevertheless, to such Regulations as shall be made by the Parliament of Great-Britain, and without prejudice of other Rights of Justiciary.

That all other Courts presently in Being within the Kingdom of Scotland do remain, but subject to Alterations by the Parliament of Great-Britain; and that all inferior Courts within the said Limits do remain subordinate, as they now are, to the supreme Courts of Justice within the same, in all time coming.

That no Causes in the Kingdom of Scotland be cognizable by the Courts of Chancery, Queen's Bench, Common-Pleas, or any other Court in Westminster-Hall; and that the said Courts, or any others of the like Nature, after the Union, shall have no power to cognosce, review or alter the Acts or Sentences of the Judicatures within Scotland, or stop the Execution of the same.

That there be a Court of Exchequer in Scotland, after the Union, for deciding Questions concerning the Revenues of Customs and Excises, having the same Power and Authority as the Court of Exchequer has in England; and that the said Court of Exchequer in Scotland have power of passing Signatures, Gifts, Tutories, and in other things as the Court of Exchequer at present in Scotland hath; and that the Court of Exchequer that now is in

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‘*Scotland* do remain, until a new Court of Exchequer be settled by the Parliament of *Great Britain* in that Kingdom after the Union.

‘That, after the Union, the Queen’s Majesty, and her Royal Successors, may continue a Privy Council in *Scotland*, for preserving of publick Order and Peace, until the Parliament of *Great Britain* shall think fit to alter it, or establish any other effectual Methods for that end.

‘That all Heretable Offices and Jurisdictions, and Offices and Jurisdictions for Life be reserv’d to the Owners thereof, as Right of Property, notwithstanding of this Treaty, in the same manner as they are now enjoy’d by the Law of *Scotland*.

‘That the Rights and Privileges of the Royal Boroughs in *Scotland*, as they now are, do remain entire after the Union, and notwithstanding thereof.

21st Meeting,  
May 30.

To this Proposal, the Lord Keeper in the Name of the *English* Commissioners, deliver’d, the next day, the following Answer:

‘The Lords Commissioners for *England* having consider’d the several Proposals contain’d in the Paper deliver’d the 20th. Instant, by the Lords Commissioners for *Scotland*, and being extremely desirous to bring this Treaty to a speedy and happy Conclusion, do agree to the same, reserving still the Consideration of the Courts of Admiralty of *Scotland* to the farther progress of this Treaty.

22d. Meeting,  
June 1.

On the first day of *June* the Lord Keeper acquainted the Board, ‘That their Lordships for *England* were preparing some Proposals which would be ready to be offer’d to the Board at the next Meeting. Accordingly, four Days after, the Lord Treasurer, in the name of the Lords Commissioners for *England*, deliver’d to the Board the following Answer to the Proposal offer’d by the Lords Commissioners for *Scotland* the 21st. of *May*, viz.

23d. Meeting,  
June 5.

‘The Lords Commissioners for *England* having taken into consideration the Proposals deliver’d in to them the 21st. day of *May* last by the Lords Commissioners for *Scotland*, for the effectual preventing the Exportation of *Scotch* Salt to *England*, or the Plantations, without paying the same Excises with which *English* Salt is charg’d, during the Exemption allow’d to *Scotland* from the said Duty, do give the

the following Answers to the several Proposals therein.

1. As to the first Article of the Proposal, viz. That no Salt be transported from Scotland to England by Land under the penalty of forfeiting the Salt, and the Horses us'd in transporting it, and paying ten Shillings for every Bushel of Salt so transported, for which the Carrier, as well as the Owner, shall be liable conjunctly and severally, and the Carrier be imprison'd until the said Penalty be paid.

The Lords Commissioners for England do agree to the same with the Alterations following, viz. That no Salt be transported from Scotland to England by Land in any manner whatsoever, under the penalty of forfeiting the Salt, and the Cattle and Carriages made use of in transporting it, and paying 20 s. for every Bushel of such Salt, and proportionable for a greater or lesser Quantity, for which the Carrier, as well as the Owner, shall be liable conjunctly and severally, and the Persons carrying the same to be imprison'd, by any one Justice of the Peace, by the space of six Months, without Bail or Mainprize, and until the Penalty be paid.

2. As to the second Article relating to Salt Water-born to be carry'd from Port to Port in Scotland, and Salt exported from Scotland to England, or the Plantations:.

The Lords Commissioners for England, as to that part of it which relates to Salt Water-born to be carry'd from Port to Port in Scotland, do agree to the same.

And as to that part of the said Proposal which relates to Salt exported from Scotland to England by Sea, the Lords Commissioners for England do propose, That there shall be paid in England for all Salt made in Scotland, and imported from thence into England, the same Duties upon the Importation as shall be paid for Salt made in England, to be levy'd and secur'd in the same manner as the Duties on forreign Salt are to be levy'd and secur'd in England; and if any other Salt, which is not made in Scotland, shall be imported from thence into England, the same to be charg'd with the Duties on Foreign Salt imported into England, to be levy'd

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and secur'd in the same manner. And as to the last part of the said Article relating to Salt exported from *Scotland* to the Plantations, the Lords Commissioners for *England* do not insist that any Duty ought to be paid for the same, or for Salt exported from *Scotland* to any other foreign Place whatsoever, in regard that upon the Exportation of Salt from *England* to the Plantations, or any foreign Parts, the Duty before paid for the same is to be repaid.

2. And as to that part of the last Article of the said Proposal, which relates to salted Fish exported from *Scotland* into *England*:

The Lords Commissioners for *England* do propose. That for all such Fish there shall be paid in *England* upon the Importation thereof, such Sums of Money as by the Law relating to the Duties upon Salt in *England* are allow'd, and repaid to the Exporter thereof upon Exportation of the like Fish from *England* to foreign Parts, in regard all Salt us'd in Fish cur'd and consum'd in *England*, is liable to Duties of the same value; and in case the said Fish shall be re-exported from *England*, the Duties paid for the same, upon Importation thereof, shall be repaid.

And as to all salted Fish exported from *Scotland* to any other place, the Lords Commissioners for *England* do not insist that any Duty shall be paid in *Scotland* for the Salt us'd therein, in regard that upon the Exportation of such Fish from *England* to any foreign Parts, the Exporter thereof hath an allowance out of the Duties on Salt of so much Money as the Duty of the Salt us'd in curing such Fish amounts to.

And as to that part of the said Article which relates to salted Flesh exported from *Scotland*, in regard all salted Flesh consum'd in *England*, or made use of for Victualling of Ships there, or exported from *England* to Parts beyond the Seas, is cur'd with Salt, for which the Duty on Salt is paid in *England*, and not repaid upon Exportation of any such Flesh from *England*, and there being so much Salt us'd in the curing of one hundred weight of Flesh (each hundred weight being computed at one hundred and twelve Pound weight) as the Duty hereof



thereof payable in *England* amounts to two Shillings: The Lords Commissioners for *England* do propose, that there be paid in *England*, upon the Importation of every such Hundred Weight of Flesh from *Scotland*, two Shillings; and that before such Flesh is so exported from *Scotland*, an Entry be made at the Custom-House of the Port of Exportation in *Scotland*, of the Quantity of Flesh so to be exported, and the Port in *England* for which the same is bound, and Security given by Bond to her Majesty, at the said Port of Exportation in *Scotland*, that the said Flesh shall be landed at the Port in *England*, for which the same shall be so enter'd, or at some other Port in *England*, the Danger of the Seas and Enemies excepted. Which Bond shall be deliver'd up, upon producing a Certificate from the Collector, or Officers of the Customs of the Port of Importation in *England* that such Flesh was landed, and left at the said Port; and that the Duty of two Shillings be paid in *Scotland*, for all salted Flesh made use of for Victualling of Ships there, or exported from thence to any other parts besides *England*; and that no salted Flesh be brought into *England* from *Scotland* by Land, under the penalty of forfeiting the same, or the Value thereof, and the Cattle and Carriages employ'd in carrying thereof, and of the like Imprisonment as they have before propos'd, in case of Salt brought from *Scotland* to *England* by Land.

And if any Frauds shall hereafter appear, which are not sufficiently provided against by the foregoing Proposals; the Lords Commissioners for *England* do propose, the same shall be subject to such further Provision, as shall be thought fit by the Parliament of *Great-Britain*.

And whereas the Lords Commissioners for *England* did in their Paper deliver'd the 15th of May last past, consent, that the Kingdom of *Scotland* should, for a competent time, remain exempted from the Payment of the Duty on Salt, for all the Salt spent in Kind, or us'd in Provision spent within that Kingdom: The Lords Commissioners for *England* do now propose, that the Kingdom of *Scotland* shall remain exempt from the Payment of that Duty for all Salt spent in Kind, or us'd in Provisions within the

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Twenti-  
fourth  
Meeting,  
June 7.

‘ the said Kingdom, for the Term of 7 seven Years  
‘ after the Union, upon the Lords Commissioners for  
‘ Scotland’s agreeing to the Proposals above-mention’d.

The Lord Treasurer, in the Name of the Lords  
Commissioners for *England*, also deliver’d to the  
Board the following Proposal, viz.

‘ That all Admiralty Jurisdiction be under the Ld  
‘ High Admiral of *Great Britain*, or Commissioners  
‘ for the Admiralty of *Great Britain*, for the time  
‘ being: And that Appeals from the High Court  
‘ of Admiralty of *Great Britain* be to the Queen, in  
‘ the same manner as is now settled in *England*.

In the next Meeting, which was on the 7th of  
*June*, the Lord Chancellor, in the Name of the  
Lords Commissioners for *Scotland*, deliver’d to the  
Board the following Paper, viz.

‘ The Lords Commissioners for *Scotland* do agree  
‘ to the Proposal contain’d in the Answer deliver’d  
‘ by the Lords Commissioners for *England* the 5th  
‘ Instant, concerning the effectual preventing the Ex-  
‘ portation of *Scotch* Salt from *Scotland* to *England*,  
‘ without paying the same Excises with which the  
‘ *English* Salt is charg’d, during the Exemption al-  
‘ low’d to *Scotland* from the said Duty, with the fol-  
‘ lowing Alterations.

I. ‘ As to that part of the second Article, viz.  
‘ That if any Salt which is not made in *Scotland*  
‘ shall be imported to *England* from thence, the same  
‘ to be charg’d with the Duties of Foreign Salt im-  
‘ ported into *England*, to be levied and secur’d in the  
‘ same manner: The Lds Commissioners for *Scotland*  
‘ do understand, That it is not the Meaning of the  
‘ Lords Commissioners for *England*, by the said Pro-  
‘ posal, to lay a double Duty on Foreign Salt, ex-  
‘ ported from *Scotland* to *England*, one to be exacted  
‘ at Importation of the said Salt into *Scotland*, and  
‘ the like Duty at the Importation into *England* from  
‘ *Scotland*, but that the Foreign Salt imported into  
‘ *Scotland* be charg’d at the Importation there, with  
‘ the same Duties after the Union, as the like Salt is  
‘ charg’d with being imported into *England*, to be  
‘ levied and secur’d in the same manner. And for  
‘ further Security in that case, The Lords Com-  
‘ missioners for *Scotland* do propose, that Certificates  
‘ be sent with Foreign Salt exported from *Scotland*

into  
England

'into England from the Custom Office in Scotland, where the said foreign Salt was first imported, to the Custom Office in England where the said Salt shall happen to be transported, bearing the Payment of, or Security given for the Duties at the said Port, under this Penalty, that Foreign Salt, exported from Scotland into England without such Certificates, shall be confiscated.

2. 'As to the third Article relating to salted Fish or Flesh exported from Scotland into England, and salted Flesh made use of for Victualling of Ships in Scotland, or exported from Scotland to parts beyond the Seas; The Lords Commissioners for Scotland do apprehend, that the said Article does only concern such Fish and Flesh as is cur'd in whole or in part with Scotch Salt; there being an obvious difference betwixt the case of these, and of such Fish and Flesh exported from Scotland to England, as is wholly cur'd with Foreign Salt, in regard that Foreign Salt is to pay the like Duty as in England at Importation into Scotland, and therefore ought not to pay a second Duty.

'And the Lords Commissioners for Scotland do propose, That if the Duty on Salt take place in Scotland after the Expiration of seven years, during which time the Exemption is agreed to, that then the Kingdom of Scotland shall have an Equivalent.

The same Day the Lord Keeper, in the Name of the Lords Commissioners for England, deliver'd the following Proposal, which was read:

'The Lords Commissioners for England being extremely desirous to come to a speedy Conclusion of the present Treaty for an Union of the two Kingdoms, and it having been already agreed, that the United Kingdom be represented by one and the same Parliament, their Lordships have turn'd their Thoughts to consider what may be a proper and reasonable Number for the Representative of Scotland in the House of Commons of the United Parliament, do propose to the Lords Commissioners for Scotland, that thirty eight Persons be the Number by which that Part of the United Kingdom now call'd Scotland, shall be represented in the House of Commons, whenever a Parliament shall be call'd in Great-Britain.

Four

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25th Meet-  
ing June  
11.

Four Days \* after, the Scotch Ld. Chancellor deliver'd the following Answer to the Proposals made by the English Commissioners on the 5th. of that Month, viz.

The Lords Commissioners for Scotland, in Answer to the Proposal deliver'd by the ords Commissioners for England on the 5th Instant concerning the Admiralty, do agree, that all Admiralty Jurisdiction be under the Lord High Admiral of Great-Britain, or Commissioners of Admiralty of Great-Britain for the time being; and as to that part of the said Proposal which concerns Appeals from the High Court of Admiralty, the Lords Commissioners for Scotland do propose, that the Court of Admiralty now establish'd in Scotland be continu'd, and that all Reviews, Reductions or Suspensions of the Sentences in Maritime Cases, competent to their Jurisdictions, remain in the same manner after the Union as now in Scotland, until the Parliament of Great Britain shall make such Regulations and Alterations as shall be judg'd expedient for the whole United Kingdom; providing there be always continu'd in Scotland a Court of Admiralty, such as is in England, for Determination of all Maritime Cases relating to private Right in Scotland, competent to the Jurisdiction of the Admiralty Court.

And the Lords Commissioners for Scotland do further propose, that the Heretable Rights of Admiralty, and Vice-Admiralties, be reserv'd to the respective Proprietors, as Rights of Property.

The Lord Chancellor did also in Name of the Lords Commissioners for Scotland, deliver the following Paper,

The Lords Commissioners for Scotland having consider'd the Proposal made by the Lords Commissioners for England the 7th Instant, viz. That thirty eight Persons be the number by which that Part of the United Kingdom now call'd Scotland shall be represented in the House of Commons, whenever a Parliament shall be call'd in Great-Britain; do find such Difficulties in that matter, that they are under a necessity to propose a Conference betwixt the Lords Commissioners for both Kingdoms on that Subject, in which their Lordships doubt not but to satisfy the Lords Commissioners for England, that a greater Number than is mention'd

tion'd in the said Proposal will be necessary for attaining the happy Union of the two Kingdoms, so much desir'd on both sides: And the Lords Commissioners for Scotland are willing now to enter on the said Conference, or when the Lords Commissioners for England will please to appoint.

Hereupon the Lords Commissioners for England withdrew, and being return'd, the Lord Keeper acquainted the Board, That the Lords Commissioners for England did agree to a Conference with the Lords Commissioners for Scotland, upon the subject contained in the Paper deliver'd by the Lords Commissioners for Scotland at this Meeting, and that the said Conference be the next day, at Six-a-Clock in the Evening.

Accordingly the Lords Commissioners of both sides enter'd upon the Conference, desir'd by the Scotch Commissioners, which being over, they adjourn'd to the 14th of that Month. Upon that Day, the Earl of Marr, in the name of the Lords Commissioners for Scotland, deliver'd to the Board the following Answer to the Proposal made by the Lords Commissioners for England the 7th, viz.

'The Lords Commissioners for Scotland having consider'd the Proposal deliver'd by the Lords Commissioners for England on the 7th instant, with the Conference that follow'd on the Subject of that Proposal; Their Lordships are hopeful, that the Lords Commissioners for England, are convinc'd of the real Difficulties occurring in that matter on the part of Scotland; and, the Lords Commissioners for Scotland do find themselves still under an absolute necessity, (for bringing to a happy Conclusion the Union of the two Kingdoms) to insist, that a greater number than that of thirty eight be agreed to, as the Representative for Scotland, in the House of Commons in the Parliament of Great Britain.

Then the Lord Keeper, in the name of the English Commissioners, deliver'd the following Answer to the Proposal made by the Lords Commissioners for Scotland the 11th, viz.

'The Lords Commissioners for England, having consider'd the Paper deliver'd in by the Lords Commissioners for Scotland on the 11th instant, con-

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concerning Admiralty Jurisdiction, do agree to the first Proposal therein contain'd, with this addition:

That the Admiralty Court propos'd to be continu'd in *Scotland* after the Union, shall be subject to such Regulations and Alterations, as shall be thought proper to be made by the Parliament of *Great Britain*.

The Lords Commissioners for *England*, do likewise agree to the second Proposal in the said Paper contained, touching Heretable Rights of Admiralty, and Vice-Admiralties in *Scotland*, with this Provision, viz.

That those Heretable Rights, as to the manner of exercising the same, shall be subject to such Regulations and Alterations, as shall be thought proper to be made by the Parliament of *Great Britain*.

Twenty  
Eighth  
Meeting,  
† June 15

The next Day, the Earl of *Mar* acquainted the Board, that the *Scotch* Commissioners having consider'd the Paper deliver'd by the *English*, the day before, did agree to the same.

Then the Lord Keeper, in the name of the *English* Commissioners, deliver'd to the Board the following Paper, viz.

The Lords Commissioners for *England*, having taken into consideration, the Reply deliver'd the 7th instant, by the Lords Commissioners for *Scotland*, to the Answer of the Lords Commissioners for *England*, to the Proposals made by the Lords Commissioners for *Scotland* the 21st of *May* last, for the effectual preventing the Exportation of *Scotch* Salt to *England*, or the Plantations, without paying the same Excises with which *English* Salt is charg'd, during the Exemption allow'd to *Scotland* from the said Duties, and as to Salted Provisions.

As to that part of the Reply, which relates to the second Article in the said Answer, concerning Salt not made in *Scotland*, Imported from thence into *England*; The Lords Commissioners for *England* did not intend, that a double Duty should be laid on Foreign Salt exported from *Scotland* to *England*; and therefore the Lords Commissioners for

*England*

England do agree to the Proposal in the said Reply, That all Foreign Salt imported into Scotland, be charg'd at the Impottation there with the same Duties after the Union, as the like Salt is charged with, being Imported into England, to be Levied and secured in the same manner, and to the further security, by Certificate therein proposed, to be sent with Foreign Salt Exported from Scotland into England.

And as to that part of the said Reply, which relates to the 3d Article in the said Answer, touching salted Fish and Flesh exported from Scotland into England, and salted Flesh made use of for Victualling of Ships in Scotland, or Exported from Scotland to Parts beyond the Seas; It appearing by the said Proposals deliver'd by the Lords Commissioners of Scotland the 21<sup>st</sup>. of May last, That all Fish and Flesh barrell'd in Scotland for Exportation, are, by the Law of Scotland, appointed to be Pack'd and Cured with Foreign Salt, without any mixture of Scotch Salt; The Lords Commissioners for England, do not insist on the said 3d Article in their said Answer, provided it be agreed, that all salted Fish or Flesh Exported from Scotland to England, and all salted Flesh made use of for Victualling of Ships in Scotland, or put on Board to be Exported from Scotland to Parts beyond the Seas, that shall appear to be salted with Scotch Salt, or a mixture of such Salt, shall be Forfeited, and as such may be seiz'd in England or Scotland.

As to the last part of the Proposal of the Lords Commissioners for Scotland, That if the Duty on Salt take place in Scotland after the Expiration of seven Years, that then the Kingdom of Scotland shall have an Equivalent; The Lords Commissioners for England do understand, that the Equivalent is only to be extended to such part of the said Duties as shall be applied to the payment of the Debts of England.

The Lord Keeper did also deliver the following Proposal, viz.

The Lords Commissioners for England, being assured by the Lords Commissioners for Scotland, that there will be found insuperable Difficulties in reducing the Representation of Scotland in the House of Com-

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Commons of the United Kingdom, to Thirty eight Members, the Number formerly propos'd by the Lords Commissioners for *England*; do (to shew their Inclinations to remove every thing that would of necessity be an obstruction to the perfecting the Union of the two Kingdoms) propose to the Lords Commissioners for *Scotland*, That Forty five Members, and no more, be the Number of the Representatives for that Part of the United Kingdom, now called *Scotland*, in the House of Commons of the United Kingdom, after the intended Union.

And there being an absolute Necessity, that the Number of Peers to be admitted into the House of Lords of the United Kingdom, for that part of the United Kingdom now called *Scotland*, be regulated in proportion to the Number to be admitted into the House of Commons; do propose that sixteen Peers be the Quota of *Scotland* in the House of Peers of the Parliament of the United Kingdom, after the intended Union.

Twenty  
Ninth  
Meeting,  
\* June 18.

Three \* days after, the Earl of *Mar*, in the Name of the Lords Commissioners for *Scotland*, deliver'd the following Answer, to the foregoing Proposal made by the Lords Commissioners for *England*.

The Lords Commissioners for *Scotland* having considered the Paper delivered by the Lords Commissioners for *England* the 15th. Instant, containing a Proposal, that Forty five Members be the Number of the Representatives of that part of the United Kingdom now called *Scotland*, in the House of Commons of the United Kingdom after the intended Union: And, that Sixteen Peers be the Quota of *Scotland* in the House of Peers, in the Parliament of the said United Kingdom: And being most desirous to concur in what is further Necessary to finish this Treaty, and at the same time sensible of the Difficulties on the part of the Lords Commissioners for *England* in that Matter; Do not insist for greater Numbers (by virtue of this Treaty) of Representatives in the House of Peers, and the House of Commons, in the Parliament of *Great Britain*, than those propos'd by the Lords Commissioners for *England*; Providing that all the Peers of *Scotland*, and their Successors to their Honours and Dignities, be from, and after the Union Reckon'd and Declar'd Peers



Peers of *Great-Britain*, and that they Enjoy in their Respective Degrees and Orders, all other Titles, Dignities. Preheminencies, Immunities and Privileges whatsoever, as fully and freely as the Peers of *England* do at present, or the Peers of *Britain* may Enjoy hereafter.

And the Lords Commissioners for *Scotland* do further propose, That the Peers for *Scotland* for that time being, and their Successors, do at and after the Union, according to their different Degrees and Orders, enjoy the Rank and Precedency of all Peers to be thereafter created of the like Orders and Degrees in the said United Kingdom.

The next † day, the Lord Treasurer in Name of 30th Mar the Lords Commissioners for *England*, deliver'd the following Paper. June 19.

The Lords Commissioners for *England* having considered the Two Proposals made by the Lords Commissioners for *Scotland*, in their Paper delivered the 18th Instant, do agree to the same with the following Explanation, That all the Peers of *Scotland*, and their Successors to their Honours and Dignities, be from and after the Union, Reckoned and Declared Peers of *Great Britain*, and that they enjoy in their respective Degrees and Orders, all other Titles, Dignities, Preheminences, Immunities and Privileges whatsoever, as fully and freely, as the Peers of *England* do at present, or the Peers of *Britain* may enjoy hereafter; Provided, That no Peer who shall not then have the Right to sit in Parliament, shall be capable of sitting upon the Trial of any Peer; And also that no Peer, not having Right to sit in Parliament, shall have Privilege of Parliament.

And also that Peers of *Scotland* for the time being, and their Successors, do at and after the Union, according to their different Degrees and Orders, enjoy the Rank and Precedency of all Peers to be thereafter created of the like Orders and Degrees in the United Kingdom; Provided always, That it be understood, That all Persons who shall be Peers of *England* at the time of the Union, shall for ever enjoy that Rank and Order of Precedence of their respective Degrees, before the same Degrees of the Peers of *Scotland*.

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The Lord Treasurer did also deliver the two following Proposals, viz.

1. 'The Lords Commissioners for *England* do propose, That from, and after the Union, the Coin shall be of the same Standard and Value throughout the United Kingdom, as now in *England*, and the same Weights and Measures shall be used throughout the United Kingdom, as now Established in *England*.

2. 'The Lords Commissioners for *England* do propose, That all Laws and Statutes in either Kingdom, which are contrary to, or inconsistent with the Terms agreed on for Uniting the two Kingdoms, shall be Repeal'd and made Void.

31st. Meeting.

June 21st.

On the 21st. of the same Month, the Earl of *May*, in the Name of the *Scotch* Commissioners, deliver'd the Four following Papers, which were read, viz.

1. 'The Lords Commissioners for *Scotland*, do agree to the Proposal contain'd in the Paper, deliver'd by the Lords Commissioners for *England* the 15th Instant, concerning the Duty on Salt, with this Explanation, as to the last Paragraph thereof, about the Equivalent, That seeing the whole Duties on Salt are already appropriated for Payment of the Debts of *England*, the Lords Commissioners for *Scotland*, do understand, that whenever the Duties upon Salt shall take place in *Scotland*, the Sums thence arising will be applicable to the Payment of the Debts of *England*, and thereby there will be an Equivalent due to *Scotland*, for the whole Duties to be levied on Salt there.

2. 'The Lords Commissioners for *Scotland*, do agree to the Proposal contain'd in the Answer deliver'd by the Lords Commissioners for *England*, concerning the Peers of *Scotland*, with this further Explanation; The Lords Commissioners for *Scotland* do understand, That by the Explanation contain'd in the said Paper deliver'd by the Lords Commissioners for *England*, All the Peers of *Scotland* are to be Try'd as Peers of *Great-Britain*, and enjoy all Privileges of Peerage, Excepting that of Sitting in the House of Lords, and the Privileges depending thereon, to which Sixteen Peers to be sent from

‘ from time to time, from the Peers of *Scotland*, to  
 ‘ the House of Lords of *Great-Britain*. are only Inti-  
 ‘ tuled; And the Lords Commissioners for *Scotland*  
 ‘ do propose, that in the Tryals of Peers in time of  
 ‘ Adjournments or Prorogations of Parliament; The  
 ‘ Sixteen Peers, who do then Represent the Peers of  
 ‘ *Scotland*, shall be Summon’d in the same manner,  
 ‘ and have the same Powers and Privileges in such  
 ‘ Tryals, as any other Peers of *Great-Britain*, and  
 ‘ that in the Tryals of Peers when there is no Par-  
 ‘ liament in being, the Sixteen Peers Representa-  
 ‘ tives from *Scotland* in the former Parliament shall  
 ‘ be called in the same manner, and have the same  
 ‘ Powers and Privileges.

3. ‘ The Lords Commissioners for *Scotland*, having  
 ‘ considered the Proposal deliver’d by the Lords  
 ‘ Commissioners for *England* the 19<sup>th</sup> Instant, viz.  
 ‘ That from and after the Union, the Coin shall be  
 ‘ of the same Standard and Value thro-out the Uni-  
 ‘ ted Kingdom as now in *England*, and the same  
 ‘ Weights and Measures shall be used thro-out the  
 ‘ United Kingdom, as are now established in *Eng-  
 ‘ land*; The Lords Commissioners for *Scotland* do a-  
 ‘ agree to the same, provided that consideration be  
 ‘ had to the Losses private Persons may sustain in re-  
 ‘ ducing the Coin to the same Standard as now esta-  
 ‘ blish’d in *England*; and also provided, That from  
 ‘ and after the Union, the Mint at *Edinburg* be al-  
 ‘ ways continued under the same Rules as the Mint  
 ‘ in the *Tower of London*, or elsewhere in the United  
 ‘ Kingdom, and that the Standard of Weights and  
 ‘ Measures for *Scotland* be kept by those Burroughs  
 ‘ within the part of the united Kingdom now called  
 ‘ *Scotland*, to whom the keeping of the Standards of  
 ‘ Weights and Measures now in use in *Scotland*, does  
 ‘ by special Right and Privilege belong.

4. ‘ The Lords Commissioners for *Scotland* having  
 ‘ considered the Proposal made by the Lords Com-  
 ‘ missioners for *England* the 19<sup>th</sup>. Instant, That all  
 ‘ Laws and Statutes in either Kingdom, which are  
 ‘ contrary to, or Inconsistent with the Terms agreed  
 ‘ on for uniting the two Kingdoms, shall be Repeal’d  
 ‘ and made void; Do agree to the same.

## The ANNALS of

The Earl of *Mar* did also deliver the two following Proposals, *viz.*

I. The Lords Commissioners for *Scotland*, having by their Paper deliver'd the 9<sup>th</sup>. of *May* last propos'd, That the private Right of Corporations and Companies, should be reserv'd. to be consider'd in the course of this Treaty, Their Lordships do now propose, That the Rights and Privileges of the Company in *Scotland*, Trading to *Africa* and the *Indies*, Establish'd in *Scotland* by the 8<sup>th</sup>. Act of *Parliament* 1695. and by the 13<sup>th</sup>. of the *Parliament* 1701. do continue in Force after the Union, or that if the Privileges of that Company shall be judg'd Inconvenient for the Trade of the Rest of the United Kingdom, that the private Rights of the said Company in *Scotland* be purchas'd from the Proprietors.

The Lords Commissioners for *Scotland*, do propose to the Lords Commissioners for *England*, that all Ships belonging to her Majesty's Subjects in *Scotland*. at the time of the Union (tho' Foreign built) shall be deem'd, and pass as Ships of the Built of *Great-Britain*, The Owner or Owners within twelve Months after the Union making Oath, That the same did belong to him or them at the commencement of the Union, and does then belong to him or them, and that no Foreigner, directly nor indirectly hath any share or part or Interest therein, which Oath shall be made before the chief Officer of the Customs at the Port next the Abode of the said Owner or Owners, and the said Officer shall be impowred to administer the said Oath, and the Oath being so administr'd, shall be attested by the Officer who administr'd the same, and being Registr'd by the said Officer, shall be delivered to the Master of the Ship for security of her Navigation, a Duplicate of which Register shall be immediately transmitted to the Commissioners of Her Majesty's Customs in the Port of *Edinburgh*,

As to Ships built in *Scotland* before, or which shall be built there after the Union, the Lords Commissioners for *Scotland* do make no separate Proposal, seeing those by the mutual Agreements in this Treaty, are to be subject to the same Regulations

as in England, and consequently to the Acts of Navigation now in Force. A. C.

The next Day, the Lord Treasurer in Name of the Lords Commissioners for England, delivered to the Board the three following Papers, viz. 1706 32d. Meet- ing.

1. The Lords Commissioners for England having considered the Paper concerning Salt, deliver'd by the Lords Commissioners for Scotland the 21st. Instant; think themselves oblig'd to Inform their Lordships, that the whole Duties on Salt, are not appropriated for Payment of the Debts of England; the Duty of 12 d. a Bushel on Salt, tho' granted to the Crown in perpetuity, is appropriated to the payment of Debts no longer than till the 1st. August 1710.

That the remaining part of the Duty on Salt, viz. 2 s. 4 d. a Bushel, is granted to the Crown in perpetuity, and is with other Duties appropriated for Payment of 16000 l. per Annum to the East India Company redeemable by Parliament, and the Superplusage above that Annual Sum is not appropriated to the Payment of the Debts of England; And therefore the Lords Commissioners for England do think it necessary for them, to insist upon what was express'd in their Paper deliver'd by them the 15th Instant; that when the Duty on Salt shall take place in Scotland, the Equivalent which the Kingdom of Scotland is to have, ought to be extended only to such part of the Duties on Salt, as shall be applied to the Payment of the Debts of England.

2. It appearing by a Paper given in by the Lords Commissioners for Scotland the 21st Instant, that the Lords Commissioners for England had not fully express'd themselves in some part of a Paper deliver'd by them on the 19th Instant, to the satisfaction of the Lords Commissioners for Scotland, and being desirous upon this; and all other Occasions, to proceed with all possible clearness, do make the following Explanation of their meaning in that part of the said Paper,

They agree; That all Peers of Scotland, and their Successors to their Honours and Dignities, shall, from and after the Union be Reckoned and Declared Peers of Great-Britain, and shall be tried

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as Peers of *Great-Britain*, and shall enjoy the Privileges of Peers, as fully as the Peers of *England* do now enjoy the same, or as they or any other Peers of *Britain* may hereafter enjoy the same, except the Right and Privilege of sitting in the House of Lords, and the Privileges depending thereon, and particularly the Right of sitting upon the Tryals of Peers.

They agree, That the sixteen Peers who are to sit in the House of Lords of *Great Britain*, for that part of the United Kingdom called *Scotland*, after the Union, shall have all Privileges of Parliament, which the Peers of *England* now have, and which they, or any Peers of *Britain*, shall have after the Union, and particularly the Right of sitting upon the Tryals of Peers.

They agree, That in case of the Tryal of any Peer in time of Adjournment or Prorogation of Parliaments, the said sixteen Peers shall be summon'd in the same manner, and have the same Powers and Privileges at such Tryals, as any other Peers of *Great-Britain*.

And they do further agree, That in case any Tryals of Peers shall hereafter happen, when there is no Parliament in Being, the sixteen Peers of *Scotland* who sat in the last preceding Parliament, shall be summon'd in the same manner, and have the same Powers and Privileges at such Tryals, as any other Peers of *Great-Britain*.

3. The Lords Commissioners for *England* do agree to the Proposal delivered the 21st of *June*, by the Lords Commissioners for *Scotland*, touching Ships belonging to her Majesty's Subjects in *Scotland*, with the Alterations following, viz.

That all Ships belonging to Her Majesty's Subjects in *Scotland*, at the time of signing the Treaty for the Union of the said Kingdoms, tho' Foreign Built, shall be deem'd and pass as Ships of the Built of *Great Britain*; the Owner or Owners within twelve Months after the Union, making Oath that the same did belong to him or them at the Signing the said Treaty, and doth then belong to him or them; and that no Foreigner, directly or indirectly, hath any share or part, or Interest therein; Which Oath shall be made before the Chief Officer or Officers

Officers of the Customs in the Port next the Abode of the said Owner or Owners, and the said Officer or Officers shall be Impowr'd to administer the said Oath, and the Oath being so administered, shall be attested by the Officer or Officers who administered the same, and being Registered by the said Officer or Officers, shall be transmitted to the Chief Officer or Officers of the Customs in the Port of *Edinburgh*, to be there enter'd in a Register, and from thence to be sent to the Port of *London*, to be there enter'd in the General Register of all the Trading Ships belonging to *Great-Britain*.

The Lord Treasurer deliver'd also the following Proposal ;

The Lords Commissioners for *England* do propose to the Lords Commissioners for *Scotland*, that from and after the Union, there be one Great-Seal for the United Kingdom of *Great-Britain*, to be used for Sealing Writs to elect and summon the Parliament of *Great Britain*, and for sealing other Publick and Mandatory Writs, Publick Acts, or Orders of State, and Grants, and such Instruments relating to Publick Justice, Policy and Government, as are proper to be seal'd with a Great-Seal ; yet nevertheless a Seal in *Scotland* shall after the Union be always kept, and made use of, in all things relating to the Private Rights and Justice, in the same manner as the Great-Seal is at this time us'd, but subject to such Regulations as the Parliament of *Great Britain* may hereafter make, and until such Seal shall be provided, the Great-Seal of *Scotland* shall be used as at this time, in all things relating to private Rights and Justice.

Then the Earl of *Mar*, in the Name of the Lords Commissioners for *Scotland*, deliver'd the following Proposal ;

The Lords Commissioners for *Scotland* do propose it be declared, That the Laws and Acts of Parliament in *Scotland* for pining, curing and packing of Herrings, White-fish and Salmon, for Export beyond Seas with Foreign Salt only ; and for preventing of Frauds in Curing and Packing of Fishes, be continued in Force in *Scotland* after the Union, but subject to Alterations by the Parlia-

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ing.

June 25.

ment of *Great Britain*, and that the same *Eases*,  
*Præmiums* and *Draw-backs*, be allowed after the  
 Union for Encouragement of such as shall export  
 Fishes from *Scotland* beyond Seas, as is now al-  
 lowed by the Laws of *England* to such as export  
 the like Fishes from *England*.

Three Days \* after the Earl of *Mar* acquainted  
 the Board, 'That the Lords Commissioners for *Scot-*  
*land* agreed to the last Explanation contain'd in the  
 Paper deliver'd by the Lords Commissioners for  
*England*, in the last Meeting, concerning the Pri-  
 vileges of the Peers of *Scotland*. He also deliver'd  
 the Two following Papers, viz.

1st. 'The Lords Commissioners for *Scotland* do agree  
 to the Proposal made by the Lords Commissioners  
 for *England* on the 19th Instant, concerning the  
 Duties on Salt, and do not insist on the Explana-  
 tion propos'd by their Lordships the 21st Instant,  
 in respect of what is represented in the Paper de-  
 liver'd by the Lords Commissioners for *England* on  
 the 22d. Instant.

2. 'The Lords Commissioners for *Scotland* do a-  
 gree to the Alteration made by the Lords Com-  
 missioners for *England*, in the Proposal deliver'd by  
 the Lords Commissioners for *Scotland*, touching  
 Ships belonging to Her Majesty's Subjects of *Scot-*  
*land*; with this further Explanation;

'That all Ships belonging to Her Majesty's Sub-  
 jects of *Scotland*, at the Time of Signing this Trea-  
 ty of the Union of the Two Kingdoms, tho' Fo-  
 reign built, shall be deem'd and pass as Ships of  
 the Built of *Great-Britain*; the Owner, or where  
 there are more Owners, One or more of them  
 within Twelve Months after the Union, making  
 Oath that the same did belong to him or them; or  
 to some other Subject or Subjects of *Scotland* at the  
 Time of Signing the said Treaty, and doth then  
 belong to him or them; and that no Foreigner di-  
 rectly nor indirectly hath any Share, or Part, or  
 Interest therein: Which Oath shall be made be-  
 fore the Chief Officers of the Customs, in the Port  
 next the Abode of the said Owner or Owners; and  
 the said Officer or Officers shall be Impowred to  
 Administer the said Oath; and the Oath being so  
 administred, shall be attested by the Officer or  
 Officers



Officers who administered the same; and being register'd by the said Officer or Officers, shall be deliver'd to the Master of the Ship for Security of her Navigation, and a Duplicat thereof shall be transmitted by the said Officer or Officers to the Chief Officer or Officers of the Customs in the Port of *Edinburgh*; to be there enter'd in a Register, and from thence to be sent to the Port of *London*, to be there enter'd in the General Register of all Trading Ships belonging to *Great-Britain*.

Then the Lord Treasurer, in the Name of the Lords Commissioners for *England*, deliver'd the following Proposal.

The Lords Commissioners of the Two Kingdoms having appointed a Committee, consisting of a like Number of each Commission, for adjusting the Equivalent to be allowed to *Scotland*, for what that Kingdom should become liable to answer towards Payment of the Debts of *England*; by reason of their having Agreed to bear the same Duties of Customs and Excises upon all Excisable Liquors; and the said Committee having frequently met, and after a full Enquiry having agreed amongst themselves, and severally reported to their respective Commissions, That the Sum of 398085 *l. 10 s.* was the Equivalent to be answer'd to *Scotland*, according to the Proportion which the present Customs and Excises in *Scotland* do bear to the Customs and Excises upon Excisable Liquors in *England*: And the Lords Commissioners for *England* having Consider'd and Examined the said Report, do agree to the said Sum.

The Lords Commissioners for *Scotland* having also insisted, That after the Union, the Kingdom of *Scotland* becoming liable to the *English* Duties of Customs and Excises upon Excisable Liquors, as well upon that Account as upon the Account of the Increase of Trade and People, which will be the Happy Consequence of the said Union; the said Two Revenues will much Improve, of which no present Valuation can be made; Yet nevertheless for the Reasons aforesaid, there ought to be a proportionable Equivalent allowed to *Scotland*; The Lords Commissioners for *England* do agree, that

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that after the Union there shall be an Account kept of the said Duties arising in *Scotland*, to the end it may appear what ought to be allow'd to *Scotland* as a proportionable Equivalent for such Portion of the said Increase, according to the Calculation aforesaid, as shall be applicable to the Payment of the Debts of *England*.

The Lords Commissioners for *Scotland* having also by their Paper deliver'd the 21<sup>st</sup> Instant, propos'd, That the Rights and Privileges of the Company in *Scotland* Trading to *Africa* and the *Indies*, do continue after the UNION; or if the Privileges of that Company be judg'd inconvenient for the Trade of the United Kingdom, That the private Rights of the said Company in *Scotland*, be purchas'd from the said Proprietors: The Lords Commissioners for *England*, in Answer thereto, say, They are of Opinion, that the Continuance of that Company is inconsistent with the Good of Trade in the United Kingdom, and consequently against the Interest of *Great-Britain*; and therefore, they insist that it ought to be determin'd: But the Lords Commissioners for *England* being sensible that the Misfortunes of that Company have been the Occasion of Misunderstandings and Unkindnesses between the Two Kingdoms; and thinking it to be above all things desirable, that upon the Union of the two Kingdoms, the Subjects of both may be entirely United in Affection; Do therefore wish that Regard may be had to the Expences and Losses of the particular Members of the said Company, in the Manner hereafter-mentioned; and they hope, when the Lords Commissioners for *Scotland* have consider'd how generally that Undertaking was enter'd upon in *Scotland*, and consequently how universal that Loss was, they will readily agree to the Proposal.

The Lords Commissioners for *England* do also think it of much Consequence to *England*, That it should be agreed in this Treaty, after what Manner the Equivalent ( which will amount to a great Sum, payable upon and after the Union ) is to be paid and applied; and being extremely desirous to bring the Treaty to a speedy Conclusion, and in order to that, as soon as may be, to settle and

and fix the Matter of the Equivalent, and the Application thereof; Do agree as follows, and do also make the following Proposals to the Lords Commissioners for Scotland.

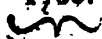
The Lords Commissioners for England do agree, That upon compleating the Union, the said Sum of 398085 *l. 10 s.* being agreed upon as the Equivalent for Scotland, shall be granted to Her Majesty for that Use.

The Lords Commissioners for England do also agree, that upon the Account to be kept as aforesaid of the Improvement of the Revenue of Customs and Excises upon Excisable Liquors in Scotland after the Union, there shall be answered to Scotland an Equivalent in Proportion to such part of the said Increase, as shall be applicable to the Payment of the Debts of England.

The Lords Commissioners for England do also agree, That an Equivalent shall be answered to Scotland for such other parts of the English Debts, as that Kingdom may hereafter become liable to pay by Reason of the Union.

The Lords Commissioners for England do propose, for the further and more effectual Answering the several Ends hereafter mention'd and propos'd, That from and after the Union, the whole Increase of the Revenue of Customs and Excises upon Excisable Liquors in Scotland, over and above what the said Revenues do now yield, shall go and be applied for the Term of seven Years, to the Uses hereafter mentioned.

And upon the said Agreements and Proposal, the Lords Commissioners for England do further propose, That Her Majesty be Impowred to appoint Commissioners, (who shall be accountable to the Parliament of Great-Britain,) for disposing the said Sum of 398085 *l. 10 s.* to be granted as aforesaid, and also of all other Monies which shall arise upon the Agreements and Proposal aforesaid to the Purposes following, 1. That out of the said Sum of 398085 *l. 10 s.* all the publick Debts of the Kingdom of Scotland, and also the Capital Stock or Fund of the African and Indian Company of Scotland, together with the Interest for the said Capital Stock, after the rate of 5 *l. per Cent. per Annum,*

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sum, from the respective Times of the Payment thereof shall be paid; and that immediately upon such Payment of the said Capital Stock and Interest, the said Company shall be dissolved, and shall cease; Provided nevertheless, that from the Time of passing the Act for raising the said Sum of 398085 *l.* 10. *s.* the said Company shall neither trade, nor grant License to trade.

The Lords Commissioners for *England* do further propose, That after the Payment of the said publick Debts, and Refunding the said Capital Stock in Manner aforesaid, the overplus of the said Sum of 398085 *l.* 10. *s.* And also the whole Improvement of the Revenue of Customs and Excises upon Excisable Liquors (above the present value) which shall arise during the Term of seven Years, from the Commencement of the Union as aforesaid, together with the Equivalent which shall become due upon Account of the Improvement of the Customs and Excises on Liquors in *Scotland*, after the said seven Years, and also all other Sums, which according to the Agreement aforesaid may become payable to *Scotland*, by Way of Equivalent, for what that Kingdom shall hereafter become liable to answer for the Debts of *England*, may be applied in the Manner following.

That out of the same what consideration shall be found necessary to be had for any Losses which private Persons may sustain in reducing the Coin of *Scotland*, to the Standard of *England* (mention whereof is made in another Paper delivered by the Lords Commissioners for *Scotland* the 21<sup>st</sup> Instant) may be made Good, and afterwards the same shall be wholly employed towards encouraging and promoting the Fisheries, and such other Manufactories and Improvements in that part of *Britain* called *Scotland*, as may most conduce to the general Good of the United Kingdom.

34<sup>th</sup> Meeting,  
June  
26.

On the 26<sup>th</sup> of *June*, the Queen came to the Meeting, and being seated in her Chair, spoke to the Lords Commissioners in these Words.

My

My Lords,

**I** *Am come hitber once more, to see what further Progress you have made in this Treaty, and to press a speedy Conclusion of it, in regard my Servants of Scotland can- not, without great Inconveniency, be much longer absent from that Kingdom.*

After which Her Majesty was pleased to direct, That the Proceedings of the Commissioners for both Kingdoms (from the time of Her being amongst them) should be read, which was accordingly done by the respective Secretaries, and then Her Majesty went away, and the Commissioners adjourn'd.

Two Days † after, the Lord Keeper, in the Name of the Lords Commissioners for England, delivered † June 28. the Two following Papers, viz.

1. 'The Lords Commissioners for England, having considered the Proposal made by the Lords Commissioners for Scotland, the 22d. Instant, touching the continuance of the Laws and Acts of Parliament now in force in Scotland, for preventing Frauds in pining, curing and packing Fish in Scotland; do agree to the same: And do likewise agree, That Fish Exported from Scotland to Parts beyond the Seas after the Union shall have the same Eases, Præmiums and Drawbacks, as are now allowed by the Laws of England, to such as Export the like Fish from England.

2. 'The Lords Commissioners for England do agree to the further Explanation contain'd in the Paper deliver'd by the Lords Commissioners for Scotland on the 25th Instant, concerning Foreign built Ships belonging to Her Majesty's Subjects of Scotland, with this Addition, That in the Oath propos'd to be made by one or more Owners of such Ships, where there are more Owners, the Names of all the Owners, and the Places of their Abodes, shall be particularly mentioned.

The Lord Keeper, deliver'd also the following Proposal;

'The Lords Commissioners for England being desirous that no Time be lost in perfecting this Treaty, do propose, That Four Commissioners of each Part be appointed to draw up into Form the Articles

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'cles or Heads of this Treaty, upon the Points already agreed, or which hereafter shall be agreed, in order to be Sign'd and Seal'd by the Commissioners of both Kingdoms.

Then the Lord Chancellor, in the Name of the Lords Commissioners for *Scotland*, deliver'd the following Paper;

'The Lords Commissioners for *Scotland* having considered the Proposal deliver'd by the Lords Commissioners for *England* the 22<sup>d</sup> Instant, concerning the Great Seal; Their Lordships do agree, that there shall be a Great Seal for the United Kingdom of *Great-Britain*, to be used for Sealing of Writs, to Elect and Summon the Parliament of *Great-Britain*, and for Sealing all Treaties with Foreign Princes, and States, and all Publick Acts and Orders of State, which concern the whole United Kingdom. And the Lords Commissioners for *Scotland* do propose, That the Great Seal of the United Kingdom be different from the Great Seals now used in either Kingdom; and that the Quartering the Arms, as may best suit with the Union, be left to Her Majesty; and that in the mean time the Great of *England* be used as the Great Seal of the United Kingdom.

'And the Lords Commissioners for *Scotland* do further propose, as a Consequence of the Reservations agreed to by the Lords Commissioners for both Kingdoms, of the Laws and Customs in *Scotland*, That a Seal in *Scotland* after the Union, be always kept and made use of, in all things relating to Private Rights or Grants, which have usually pass'd the Great of *Scotland*, and which do only concern Offices, Grants, Commissions and Private Rights within that Kingdom; and that the Privy Seal, Signet, Signet of the Justiciary Court, Quarter-Seal, and other Seals of Courts now in use in *Scotland*, be continued, but that the same be altered and adapted to the State of the Union, as Her Majesty shall think fit; and that the said Seals, and all of them, and the Keepers of them, shall be subject to such Regulations as the Parliament of *Great-Britain* shall hereafter make.

'The Lords Commissioners for *Scotland* do also propose, That upon calling the first Parliament of

*Great-*

' *Great-Britain*, and until the said Parliament shall make further Provision therein, the following Method be used in summoning the Members from *Scotland*, to attend in both Houses of Parliament of *Great-Britain*, to wit, That the Writ under the Great Seal of the United Kingdom be issued out for summoning the said Members, and that the said Writ be directed to such Court, Officer or Office, and to be Executed and Return'd in such manner, as in the Parliament of *Scotland* shall be settled, at, or before ratifying the Treaty.

The Lord Chancellor did also deliver the following Paper, viz.

' The Paper delivered by the Lords Commissioners for *England* on the 25th Instant, concerning the Equivalent, does very much contribute to the bringing this Treaty to a conclusion. And the Lords Commissioners for *Scotland* being ready to concur on their part, do agree to the same, with the following Additions and Explanations.

' And first, where the Lords Commissioners for both Kingdoms have agreed, that the Sum of 398085 *l.* 10 *s.* is the Equivalent to be Answered to *Scotland*, according to the Proportions which the present Customs and Excises of *Scotland* do bear to the Customs and Excises upon Excisable Liquors in *England*; The Lords Commissioners for *Scotland* do propose, That the Accompts and Calculations which lay before the Committee, by which it does appear from whence the aforesaid Sum does arise, be enter'd in the Journal Book of this Treaty.

' And where the Lords Commissioners for both Kingdoms have also agreed, that an Account be kept of the Duties in *Scotland*, arising from the Customs and Excises upon Excisable Liquors, beyond the present Estimate, to the end it may appear, what ought to be allowed to *Scotland*, as an Equivalent to such Proportion of the said Encrease, according to the Calculation aforesaid, as shall be applicable for the payment of the Debts of *England*: The Lords Commissioners for *Scotland* do in like manner propose, That the Calculation of that Proportion which lay before the Committee, be enter'd in the Book of Journal of this Treaty.

' And

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“And where the Lords Commissioners for both Kingdoms have agreed, That upon compleating the Union, the said Sum of 398085 *l. 10 s.* being agreed upon as the Equivalent for *Scotland*, shall be granted to Her Majesty for that Use: The Lords Commissioners for *Scotland* do understand it to be the Meaning of the Lords Commissioners for *England*, That the said Sum be granted to Her Majesty in the Parliament of *England*, at, or before Ratifying the Treaty, and do propose, That the Sum be due and payable from the Time of Ratification of the Union in both Parliaments.

“And whereas it is agreed on both sides, That Her Majesty be Impowred to appoint Commissioners, who shall be accountable to the Parliament of *Great Britain*, for Disposing of the said Sum of 398085 *l. 10 s.* to be Granted as aforesaid, and also of all other Monies that shall arise upon the Agreements and Proposal aforesaid, to the Purposes mentioned in the said Paper delivered by the Lords Commissioners for *England* on the 25th Instant; The Lords Commissioners for *Scotland* do propose, that the aforesaid Commissioners be not only Impower'd to Call for, Receive and Dispose of the aforesaid Sum to the Purposes mentioned in the said Paper; But further, that the said Commissioners be authoriz'd and Impower'd to Inspect the Books of the several Collectors of the said Revenues of Customs and Excise, and of all other Duties from whence an Equivalent may arise; and that the Collectors and Managers of the said Duties and Revenues, be obliged to give to the said Commissioners Subscrib'd Authentick Abbreviats of the Produce of the several Revenues and Duties arising in their respective Districts, on Account whereof an Equivalent may become due to *Scotland*; which Commissioners shall be Oblig'd to keep Books, containing Accotints of the Amount of the Equivalent, and how the same shall be disposed of from time to time: Which Book shall be Patent for Inspection to all the Subjects in *Scotland*: And that the said Commissioners have their Office within the Limits of the said Kingdom of *Scotland*.

The Lord Chancellor deliver'd likewise the following Proposal.

The



The Lords Commissioners for Scotland do propose, for removing of National Distinctions between the two Kingdoms after the Union, that the Crosses of St. *Andrew* and St. *George* be conjoined, when used in Flags; Banners, Standards and Ensigns, both at Sea and Land.

The Lords Commissioners for Scotland withdrew, and being return'd, The Lord Chancellor in their Lordships Names delivered to the Board the following Answer to the Proposal delivered by the Lords Commissioners for *English* at this Meeting, which was read.

The Lords Commissioners for Scotland do agree; That Four Commissioners of each part be Appointed to draw up into Form the Articles, or Heads of this Treaty; and have nam'd for their part, The Lord President of Session, Lord Justice Clerk, Sir *Alexander Ogilvie*, one of the Senators of the College of Justice, and Sir *David Dalrymple*.

Hereupon the Lord Keeper acquainted the Board, That the Lords Commissioners for *England* did nominate, on their part, to be of the Committee agreed to be appointed for drawing into Form the Treaty of Union between the Two Kingdoms, the Persons following, viz. the Attorney General, the Solicitor General, Sir *John Cook*, and Dr. *Stephen Waller*: And agreed, that the abovenamed Committee, consisting of Four Persons of each Commission, should meet the next Morning, and have Power to adjourn themselves.

On the first of *July*. the Lord Keeper, in Name of the Lords Commissioners for *England*, delivered the following Paper.

36th Meeting.  
July 1st.

The Lords Commissioners for *England*, having considered the Answer deliver'd by the Lords Commissioners for Scotland, the 21st of *June* last, to the Proposal made by the Lords Commissioners for *England*, the 19th of the same Month, concerning the Coin, Weights. and Measures to be used throughout the United Kingdom; The Lords Commissioners for *England* do agree to the Provisions contain'd in the said Answer, with this Addition, That the Weights and Measures for Scotland, to be kept in the Boroughs of Scotland, to whom the Keeping of the same does now belong, be sent

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‘ down to the respective Boroughs, from the Standards kept in the Exchequer at *Westminster*, and that a Mint be continued in *Scotland*, under the same Rules as the Mint in *England*, subject to such Regulations as the Parliament of *Great-Britain* shall think fit.

On the other hand, the Lord Chancellor, in the Name of the Lords Commissioners for *Scotland*, deliver’d the following Paper ;

‘ The Lords Commissioners for *Scotland*, having on the 25th of *June* last, deliver’d a further Explanation of their Proposal deliver’d the 22d of *June* concerning Ships belonging to her Majesty’s Subjects of *Scotland*, and the Lords Commissioners for *England* having agreed to the said Explanation in their Lordships Paper deliver’d the 28th of *June*, with an Addition thereto : The Lords Commissioners for *Scotland* do now agree to the said Addition.

37th.

Meeting

\* July 3.

Two Days \* after the Lord Treasurer, in Name of the Lords Commissioners for *England*, deliver’d the following Papers, viz.

1. ‘ The Lords Commissioners for *England* have considered the Paper deliver’d by the Lords Commissioners for *Scotland* the 28th of *June* last : And as to the first Proposal therein contained, viz. That the Great Seal of the United Kingdom be Different from the Great Seal used in either Kingdom ; and that the Quartering of the Arms, as may best suit the Union, be left to Her Majesty : And that in the mean time, the Great Seal of *England* be used as the Great Seal of the United Kingdom : The Lords Commissioners for *England* do agree to the same.

‘ And as to the second Proposal, the Lords Commissioners for *England* do agree, That a Seal shall after the Union be always kept in *Scotland* for the Uses and Purposes therein contain’d ; And that the Privy-Seal, Signet, and the other Seals therein mention’d, and now used in *Scotland*, be continued, the same to be altered and adapted to the state of the Union, as Her Majesty shall think fit : And that the said Seals, and all of them, and the Keepers of them, shall be subject to such Regulations as the Parliament of *Great-Britain* shall hereafter make.

‘ And

‘ And instead of the last Proposal, the Lords Commissioners for *England* do propose, That upon calling the first Parliament of *Great-Britain*, and until the said Parliament shall make further Provision therein, the following Methods be used ;

‘ That a Writ do Issue under the Great Seal of the United Kingdom of *Great-Britain*, directed to the Privy Council of that part of the United Kingdom now called *Scotland*, commanding them to cause Sixteen Peers, who are to Sit in the House of Lords, to be summon'd to Parliament, and Forty five Members to be Elected to Sit in the House of Commons of the Parliament of the United Kingdom of *Great-Britain*, according to the Agreement between the Two Kingdoms in this Treaty, in such manner as in the Parliament of *Scotland* shall be settled, at or before Ratifying the Treaty ; and that the Names of the Persons so Summoned, and Elected shall be returned by the Privy Council of *Scotland*, into the Court from whence the said Writ did Issue.

2. ‘ The Lords Commissioners for *England*, having considered the Proposals contain'd in the Paper, deliver'd by the Lords Commissioners for *Scotland* the 28<sup>th</sup>. of *June* last, in Answer to the several Matters, relating to the Equivalent mention'd in the Paper, delivered by the Lords Commissioners for *England* on the 25<sup>th</sup>. of the same Month ; do agree to the Proposal therein made, concerning the Accounts and Calculations, from whence the Equivalent did arise, being enter'd into the Journal Books of this Treaty.

‘ And the Lords Commissioners for *England* do likewise agree to the Proposal contain'd in the said Paper, concerning the Calculation of the Proportion of the Increase of Duties arising from Customs and Excises, beyond the present Estimate, being enter'd in the Journal-Books of this Treaty.

‘ And the Lords Commissioners for *England* do also agree to the Proposal in the same Paper, That the Sum of 398085 *l. 10 s.* agreed upon to be the Equivalent for *Scotland*, shall be granted to Her Majesty in the Parliament of *England*, at or before Ratifying the Treaty, and that the same be due,

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and payable from the time of Ratification of the Union in both Parliaments.

And the Lords Commissioners for *England* do also agree to what is further propos'd therein by the Lords Commissioners for *Scotland*, concerning the Powers to be given to the Commissioners for disposing of the Equivalent, and the Books and Office to be kept by the said Commissioners.

3. The Lords Commissioners for *England*, have considered the Proposal made by the Lords Commissioners for *Scotland* the 28th. of *June* last, for removing National Distinctions, and do agree, That the Crosses of *St. George* and *St. Andrew* be conjoin'd, when used in Flags, Banners, Standards and Ensigns, both at Sea and Land, with this Addition, That the manner of conjoining the said Crosses be left to Her Majesty, and that the Ensigns Armorial of the United Kingdom be such as Her Majesty shall appoint.

Then the Lord Chancellor, in Name of the Lords Commissioners for *Scotland*, acquainted the Board, That the Lords Commissioners for *Scotland*, did agree to the Additions contain'd in the Paper deliver'd by the Lords Commissioners for *England* the 1st. of that Month, concerning the Mint, Weights and Measures.

38th. *Mec-* The next † Day, the Lord Chancellor of *Scotland* deliver'd the two following Papers, viz.

ring.

† July 4.

1. The Lords Commissioners for *England*, in their Paper of the third Instant, having agreed to the Proposal made by the Lords Commissioners of *Scotland* the 28th. of *June* last, concerning the Seals, and having, in the said Paper, propos'd a Method to be used in Calling the first Parliament of *Great-Britain*; the Lords Commissioners for *Scotland* do agreed to the said Proposal.

2. The Lords Commissioners for *England*, having agreed to the Proposal made by the Lords Commissioners for *Scotland* the 28th. Day of *June* last, concerning the conjoining the Crosses of *St. Andrew* and *St. George*, with an Addition, viz. That the manner of conjoining the said Crosses be left to Her Majesty, and that the Ensigns Armorial of the United Kingdom, be such as Her Majesty shall appoint:

'appoint: The Lords Commissioners for Scotland do agree to the said Addition.

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Then the Lords Commissioners of both Kingdoms did agree to revive the Committee of Eleven of each side, nominated the first of May last; and that they meet the next Morning, in order to the directing the Papers and Calculations touching the Equivalent, to be enter'd in the Journal-Books of this Treaty.

On the 6th of the same Month, the Earl of Pembroke<sup>39th Meeting,</sup> President of the Council, in Name of the Lords Commissioners for England, deliver'd the following Paper, viz.

'The Lords Commissioners who are on the part of England of the Committee of Lords of both Kingdoms, nominated the first of May last, to consider Matters to them referr'd, having reported to us the Lords Commissioners for England, That the said Committee had referred to Six Persons the stating in what proportion the present Customs of Scotland as now lett, do bear to the several Branches of that Revenue in England, and also in what Proportion the present Excises upon Liquors in Scotland as now lett, do bear to the several Branches of that Revenue in England, in order to the stating of the Equivalent, that would become due to Scotland, for so much of the said two Revenues as should be apply'd towards the payment of the Debts of England, which was accordingly done, as in Numb. I. And that the said six Persons had also, by their Lordships Directions, prepared a Calculation, what so much of the said two Revenues of Scotland, as should be apply'd towards payment of the Debts of England, would produce in ready Money, as in Numb. II. The said six Persons had also calculated, that in case the said two Revenues should Increase (above what they are now Lett for) 1000 l. on the Customs, and 1000 l. on the Excise, how much thereof would contribute towards the payment of the Debts of England, and for which Scotland is to have an Equivalent, as in Numb. III. All which Papers their Lordships having now laid before us; We, the Lords Commissioners for England, do agree to the same, and that all the said Papers

See the Appendix.

A. C. 'pers be enter'd by the respective Secretaries in the  
1706. Journals of this Treaty.

Three Days † after the Lords Commissioners of  
40th Mea- both Kingdoms agreed to the Reviving the Com-  
ring. mittee of Eight, who were nominated to draw up  
† July 9. the Heads of the Treaty in Form, and that they  
meet the next Morning. The Lords Commissio-  
41st. Mea- ners being met again on the 11th. the Lord Kceper  
ring. in the Name of the *English*, deliver'd the following  
July 11. Proposals.

'The Lords Commissioners for *England* do pro-  
'pose, That the Union of both Kingdoms shall  
'take place upon the first Day of *May*, 1707, and  
'their Lordships do also propose, that if Her Ma-  
'jesty on, or before the said First Day of *May*, shall  
'declare, under the Great-Seal of *England*, That it is  
'expedient, that the Lords of Parliament of *England*,  
'and Commons of the present Parliament of *England*,  
'should be the Members of the respective Houses  
'of the first Parliament of *Great-Britain*, for, and on  
'part of *England*; Then the said Lords of Parlia-  
'ment of *England*, and Commons of the present  
'Parliament of *England*, shall be the Members of the  
'respective Houses of the First Parliament of *Great-*  
'*Britain*; And Her Majesty may, by Her Royal  
'Proclamation under the Great Seal of *Great-Bri-*  
'*tain*, appoint the said first Parliament of *Great-Bri-*  
'*tain* to meet at such Time and Place as Her Ma-  
'jesty shall think fit, which time shall not be less  
'than forty two days after the Date of such Procla-  
'mation; And the Time and Place of the Meeting  
'of such Parliament being so appointed, a Writ  
'shall be immediately Issued under the Great Seal  
'of *Great Britain*, directed to the Privy Council of  
'of *Scotland*, for the Summoning the Sixteen Peers,  
'and for Electing Forty five Members, by whom  
'*Scotland* is to be represented in the Parliament of  
'*Great-Britain*; And the Lords of Parliament of  
'*England*, and the Sixteen Peers of *Scotland*, such  
'Sixteen Peers being Summon'd and Return'd in  
'the manner agreed in this Treaty; And the Mem-  
'bers of the House of Commons of the said Parlia-  
'ment of *England*, and the Forty five Members for  
'*Scotland*, such Forty five Members being Elect'd  
'and Return'd in the manner agreed in this Treaty,  
shall

' shall assemble and meet respectively in the respective Houses of the Parliament of *Great-Britain*, at such Time and Place as shall be so appointed by Her Majesty, and shall be the Two Houses of the first Parliament of *Great-Britain*; And that Parliament may continue for such time only, as the present Parliament of *England* might have continued, if the Union of the two Kingdoms had not been made, unless sooner dissolv'd by Her Majesty..

' And the Lords Commissioners for *England* do likewise propose, That every one of the said Sixteen Peers of *Scotland*, and every one of the said Forty five Members for *Scotland*, shall before they Sit or Vote in the respective Houses of Parliament of *Great-Britain*, take the respective Oaths, and Subscribe the Declarations in the same manner, as the Lords and Members of both Houses of Parliament in *England* are oblig'd to Take and Subscribe, by Virtue of any Act or Acts of Parliament now in Force in *England*, upon the Penalties therein contain'd.

In their next † Meeting the Lord Chancellor of *Scotland* deliver'd the following Paper. 42d. Meeting.

' The Lords Commissioners for *Scotland* do agree † July 13. to the Paper deliver'd by the Lords Commissioners 42d. Meeting. for *England* the 11th Instant, with this Alteration to the first part of the said Paper, That whereas the said Commissioners for *England* do propose, that the first Parliament of *Great-Britain* be appointed to meet at such Time and Place as Her Majesty shall think fit, which time shall not be less than Forty two days, after the date of such Proclamation, as in the said Proposal is mentioned; The Lords Commissioners for *Scotland* do propose, that the time for meeting of the said Parliament, shall not be less than Fifty days after the date of such Proclamation; And as to the second part of the said Proposal the Lords Commissioners for *Scotland* do agree to the same in the Terms following; That every one of the Lords of Parliament of *Great-Britain*, and every Member of the House of Commons of the Parliament of *Great-Britain*, in the first, and all succeeding Parliaments of *Great-Britain*, until the Parliament of *Great-Britain* shall otherwise direct, shall before they Sit or Vote in the respective Houses of the Parliament of *Great-Britain*.

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Britain, take the respective Oaths appointed to be taken instead of the Oaths of Allegiance and Supremacy, by an Act of Parliament made in England, in the first year of the Reign of the late King William and Queen Mary, Intituled, *an Act for the Abrogating of the Oaths of Allegiance and Supremacy, and appointing other Oaths*; and Make, Subscribe, and audibly repeat the Declaration mentioned in an Act of Parliament made in England in the 30th year of the Reign of King Charles the Second, Intituled, *an Act for the more effectual preserving the King's Person and Government, by disabling Papists from Sitting in either House of Parliament*; And shall take and Subscribe the Oath mentioned in an Act of Parliament made in England, in the first year of Her Majesty's Reign, Intituled, *an Act to declare the Alterations in the Oath appointed to be taken by the Act, Entituled, an Act for the further Security of his Majesty's Person, and the Succession of the Crown in the Protestant Line, and for extinguishing the hopes of the pretended Prince of Wales; and all other Pretenders, and their open and secret Abettors, and for declaring the Association to be determined*; Upon the Penalty and Disabilities in the said respective Acts contain'd; And the Lords Commissioners for Scotland do further propose, That these words, THE CROWN OF THIS REALM, and the QUEEN OF THIS REALM, mention'd in the Oaths and Declaration contain'd in the foresaid Acts, which were intended to signify the Crown and Realm of England, may be understood of the Crown and Realm of Great-Britain, united by the Acts of the respective Parliaments ratifying this Treaty; and that the Oaths and Declaration be taken and subscrib'd, by the Members of both Houses of Parliament of Great-Britain in that Sense.

Hereupon the Lords Commissioners for England withdrew, and being return'd, the Lord Keeper in their Lordships Names, deliver'd a Paper, importing; That the Lords Commissioners for England having consider'd the Paper deliver'd at this Meeting by the Lords Commissioners for Scotland, did agree to the several Matters therein proposed.

This



This done, they adjourn'd to the 16th, on which <sup>43d Meeting,</sup> Day the Draught of the Articles of Union were read, by the respective Secretaries, and the Lords Commissioners for both Kingdoms, order'd the same to be <sup>July 16.</sup> ingross'd against the next \* Meeting; when they <sup>44th Meeting,</sup> Sign'd and Seal'd the Instruments, (or Writings) conform to their respective Commissions: And the same day they order'd, That the respective Secretaries of each Commission should sign each other's Journals of the Proceedings; and afterwards enter in the Journals, the *Articles of the Treaty of Union.* <sup>The Articles of Union</sup>

The next † day the Lords Commissioners for both Kingdoms, went from the Cockpit to attend the Queen <sup>Sign'd. See</sup> at St. James's, where the Lord Keeper, in the Name <sup>the App-</sup> of the Lords Commissioners for England, made the <sup>pendix.</sup> following Speech, and presented to Her Majesty one <sup>Numb.</sup> of the Sign'd and Seal'd Instruments, or Writings, <sup>III.</sup> containing the Articles of Union on the part of <sup>45th Meeting,</sup> England: <sup>† July 23.</sup>

May it Please Your M A J E S T Y,

**W**E the Commissioners appointed by Your Majesty, <sup>The Lords Commissioners attend</sup> in pursuance of the Act of Parliament pass'd in Your the Queen. Kingdom of England, to Treat concerning an Union of <sup>The Lord Keeper's Speech to her Majesty.</sup> the Two Kingdoms, with the Commissioners for Scotland, do (according to our Duty) humbly beg leave to present to Your Majesty these the Effects of our continued and faithful Endeavours to that End.

They are the Articles agreed upon between Your Commissioners of both Kingdoms, as the Terms or Conditions upon which the intended Union is to take place, if Your Majesty, and the Parliaments of both Kingdoms, shall think fit to approve, and confirm the same.

In these we have come to an Agreement on every Point, we judg'd Necessary to effect a compleat and lasting Union, and we have endeavour'd not to stir into any Matter we had Reason to think was not so.

And altho' we have Unanimously carried this Treaty thus far, purely from a Conviction, that we have done therein to G O D, Your Majesty, and our Countries Good Service; Yet we are far from thinking, that what we have done, will, or ought to be of any Weight or Authority elsewhere; but do most entirely submit these our Labours to the High Wisdom of Your Majesty, and both Your Parliaments, to stand, or fall, by the Reason, Justice, and publick Utility on which they are founded. <sup>Your</sup>

A. C.

1706.



*Your MAJESTY's Royal Presence, and seasonable Admonition to us at the fittest Junctures, were ( we most thankfully Acknowledge ) a very great Encouragement and Assistance to us in the Difficulties we met with.*

*Your Majesty's Glory is already perfect, and the finishing this Work, is all that is wanting to compleat as well as secure the Happiness of so great a People, as Your Subjects may now without any Arrogance pretend to be.*

*May Your Majesty Live, not only to give a Sanction of this Universal Blessing to all your People ; but also to see, in a long and prosperous Reign over us, the many immediate, or near, Good Effects of it ; but, as for that great and main Consequence of it, for which Your Majesty is making by a most Gracious and Charitable Foresight, this only effectual Provision, I mean the continuance of Peace and Tranquillity in this Island, upon a Descent of the Crown, instead of that Blood-shed and Distraction, which would probably follow upon the fatal Division of it.*

*May we be so happy, as never in our Days, to experiment the fitness of these Measures your Majesty is now taking for that end ? But may late, very late Posterity only in that respect, reap the Advantage of them.*

Then the Lord Chancellor of Scotland, in the Name of the Lords Commissioners for that Kingdom, made the following Speech, and presented to Her Majesty one of the Sign'd and Seal'd Instruments, or Writings, containing the Articles of Union on the part of Scotland :

*The Scotch  
Lord Chan-  
cellor's  
Speech to  
the Queen.*

May it please your Majesty,  
**T**HE Commissioners appointed by your Majesty for the Kingdom of Scotland, to Treat of an Union of your Two Kingdoms of Scotland and England, have Commanded me to return Your Majesty their most humble and dutiful Acknowledgments, for the Honour Your Majesty has Confer'd on them, in employing them to negotiate this most important Affair, which is of the greatest Consequence to all your Majesty's Subjects.

*We have endeavour'd to discharge this Trust with all Fidelity, and are now come humbly to lay before your Majesty, the Articles and Conditions of Union which we have treated of, and agreed upon, and do submit them to your Majesty's Royal Consideration.*

## Queen ANNE's Reign.

79

A. C.

1706.

It is a great Satisfaction to us, that what we have concluded in this Matter, has been done with Unanimity; and we must own, that the Knowledge we had of your Majesty's great Concern for Uniting your Two Kingdoms, and the Earnestness with which your Majesty has been most Graciously pleased to Recommend it, hath enabled us to bring this Treaty to a happy and speedy Conclusion, to the mutual Satisfaction of the Commissioners on both sides; and we shall esteem it our greatest Happiness, if what we have prepared be acceptable to your Majesty, and ratified by the Parliaments of both Kingdoms, without which, what we have done can be of no Authority.

An Union of the Two Kingdoms has been long wish'd for, it being so necessary for Establishing the lasting Peace, Happiness and Prosperity of both Nations; And tho' it has been frequently endeavour'd by your Majesty's Royal Predecessors, without the desired Success; Yet the Glorious Successes, with which GOD has Blessed your Majesty's Endeavours for the Happiness of your People, make us Hope that this Great Work is Reserv'd to be Accomplish'd in your Majesty's Reign.

After which, Her Majesty was pleas'd to make the following Speech.

My Lords,

I Give you many Thanks for the great Pains you have taken in this Treaty, and am very well pleas'd to find your Endeavours and Applications have brought it to so Good a Conclusion. The Particulars of it seem so Reasonable, That I Hope they will meet with Approbation in the Parliaments of both Kingdoms. I wish therefore, That my Servants of Scotland may lose no time in going down to propose it to My Subjects of that Kingdom; And I shall always look upon it as a particular Happiness, if this Union (which will be so Great a Security, and Advantage to both Kingdoms) can be accomplish'd in My Reign.

The same day the following Order was made by the Queen in Council:

HER Majesty having been inform'd, That great Liberty has been taken by some Papists, and some other Disaffected Persons, in their Discourses, and laying Wagers relating to the Union of the Two Kingdoms of England Orders to forbid laying Wagers about the Union.

A. C. land and Scotland, tending thereby to create Misunderstandings between Her Majesty's Subjects; Her Majesty being Graciously enclined to prevent Her good Subjects from being misled by Inadvertency, is this Day pleased, with the Advice of Her Privy-Council, to Order, That Publick Notice be given, That whosoever shall be concerned in any seditious Discourse, or Libel, or laying Wagers, or making or subscribing Policies of Assurance relating to the said Union, shall be Prosecuted for such their Offence, according to the utmost Rigour of the Law: Whereof all Justices of the Peace, and other Magistrates, are to take Notice. And that this Her Majesty's Pleasure may be publickly known, it is ordered to be Printed in the Gazette.

The next day, Her Majesty and his Royal Highness returned to Windsor.

Whilſt these Nations were blessed with the pleasing Prospect of a happy entire Union at Home, her Majesty's Arms, and those of her Allies, were crown'd with wonderful Successes Abroad. To begin with the Campaign in the Netherlands, it must be remembered, That the Duke of Marlborough, who arrived at the Hague the 25th of April, N. S. continued there till the 9th of May, during which time he had frequent Conferences with the Deputies of the States, and their Generals, upon the necessary Measures to be taken for Opening the Campaign. On the day last mentioned, his Grace, accompanied by Velt-Mareschal d'Auverquerque, left the Hague, and arrived at Maestricht the 12th. The same night Monsieur d'Auverquerque, and the 13th my Lord Duke, went to the Army of the States, which was drawn together near Tongeren; and both repaired four days after to Liege, to view the Citadel, and the new Works about that Place. In the mean time the English Forces having receiv'd Orders to take the Field, arrived at Bilsen the 19th. of the same Month. The 20th. the Army of the States march'd from Tongeren to Borchloen, and the same day the English join'd them between that Place and Cors-Warem.

The Duke of Marlborough's Campaign in the Netherlands.

He sets out from the Hague, May 9. N. S.

The Confederate Army assembled, May 20.

The Court of France receiv'd on the 15th of May, N. S. the mortifying News of Count Toulouse's sudden return to the Coast of Provence, by which they easily judg'd, that the Siege of Barcelona, that had been undertaken six Weeks before, had infallibly

miscarry'd : Which was a most fatal Blow, both to the Reputation of the Arms of *France*, and to the Duke of *Anjou's* Interest, throughout the whole Monarchy of *Spain*. But on the other hand, they were informed, That the Confederate Army in the *Netherlands* was not yet compleat ; That the *Danes* refused to stir from their Quarters, till their Arrears were paid ; And that the *Prussians*, for other \* Reasons, were yet so far behind, as that they could not join the Duke of *Marlborough* in several Weeks : Whereas the Army of the Two Crowns, under the Command of the Elector of *Bavaria*, and the Mareschal *de Villeroy*, was entirely assembled. Hereupon they flatter'd themselves, that they might keep up the *French* sinking Credit of their Arms, by a considerable Action in the *Netherlands* ; and, in that fond Imagination, positive Orders were sent to the Mareschal *de Villeroy* to fight the Allies ; so that the Duke of *Bavaria*, who was then at *Brussels*, had just time enough to take Post-Horses, to go and join the Army, which passed the *Dyle* the 19th of *May*, and posted themselves at *Tirlemont*, with the *Gheet* before them. On the other hand, the Confederates were no less eager for an Engagement, but did not hope to have so soon an Opportunity for it : And the Duke of *Marlborough* being apprehensive, that the *French* would play the same Game over again, and keep behind the *Dyle*, as they had done the Year before, had several Times express'd his Concern and Uneasiness about it, to those who had an Intimacy with his Grace, and, by a wise Fore-cast, was already laying Schemes to put the Enemy besides their cautious Measures, when Providence threw into his Hands an unexpected Occasion of Signalizing again

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\* I have heard some Persons of Credit affirm, That the French King had Pensioners in the Courts of *Denmark* and *Prussia*, who had promised him to use their utmost Endeavours to retard the March of their respective Master's Forces (in the Pay of *England* and *Holland*) to the general Rendezvous : Upon the Confidence whereof the French King sent positive Orders to Mareschal *de Villeroy* to fight the Duke of *Marlborough* : But the Reader is at his Liberty to say what else he thinks fit on this Story.

A. C. again his Courage and Conduct. Upon the Enemy's  
 1706. passing the *Dyle*, his Grace sent Orders to the *Danish*  
 Horse, who were coming from their Garrisons, to  
 hasten their March; Engaging his Promise, in Con-  
 junction with the Field-Deputies of the States, that  
 their Arrears should be duly paid: Whereupon they  
 made such Expedition, that on *Saturday* the 22<sup>d</sup>. of  
*May*, N. S. they came up within a League of the  
 Rear of the Confederate Army. The next day,  
 being *Whitsunday*, about 4 in the Morning, the Con-  
 federate Army march'd, in Eight Columns, towards  
*Rammelies*, a Village near which the *Gheet* takes its  
 Source; that they might avoid the Inconveniency  
 of passing that River. They soon had notice, that  
 the Enemy's Army having decamp'd from *Tirlemont*  
 were likewise on their March towards the Allies, whom  
 the Duke of *Bavaria* and *Marshal de Villeroy* were  
 fully resolv'd to engage, either that, or the next day,  
 being apprehensive that the Duke of *Marlborough*  
 had a design to invest *Namur*, and not in the least  
 suspecting, that his Grace had been join'd by the  
*Danish* Troops.

The Battle  
 of Ramil-  
 lies, May  
 23. N. S.

A Little after Eight a-Clock in the Morning, the  
 Advanc'd Guard of the Confederates, which con-  
 sisted of 600 Horse, and had been sent with all the  
 Quarter-Masters of the Army, to view the Ground,  
 arriv'd at the Height of *Merdorp*, (or *Merdau*) from  
 whence they perceiv'd, that the Enemy were in mo-  
 tion, and marched in the Plain of *Mont St. André*,  
 extending themselves as far as the *Tomb of Hottomont*,  
 towards the *Mehaigne*. Hereupon they halted, and  
 sent Intelligence to the Duke *Marlborough*, and *Mon-*  
*sieur d'Auverquerque*, who being advanc'd, about Ten  
 to view the Enemy, they could not, at first, judge  
 whether those Squadrons they saw were only to co-  
 ver their March into their Lines, or whether they  
 were the Van of their Army, that came to offer  
 Battle. His Grace, therefore, gave Orders for the  
 Horse to hasten their March, resolving, if those he  
 saw had been only covering Squadrons, to attack them  
 with his Cavalry only; but finding the Enemy's whole  
 Army approach with an apparent Resolution to pre-  
 vent them. The Enemy, whose Army consisted of  
 76 Battalions, and 132 Squadrons, seeing the Confe-  
 derates

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of 1706

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*The Battle  
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derates so near them, possess'd themselves of a very strong Camp; placing their Right near the Tomb of *Hottomont* against the *Mebaigne*; and their Left at *Anderkerk*, or *Autreglise*; and posted a good deal of their Infantry in the Villages of *Autreglise*, *Offux* and *Rammelies*, which last was near their Center; besides which they put five Battalions near the Hedges of the Village of *Franquemies*, which was on their Right. The Confederate Army, which consisted only of 74 Battalions, and 123 Squadrons, was, at the same time, drawn up in order of Battle, the Right Wing being posted near *Foltz*, on the Rivulet *Taufe*, with a little Morass in Front; and the Left near the Village of *Franquemies* on the *Mebaigne*; where, besides the number of the Horse belonging to that Wing, the Duke of *Marlborough* order'd the *Danish* Squadrons, being 21 in number, to be posted; rightly judging, by the situation of the Ground, that the Stress of the Action would be on that side. All Things being thus dispos'd, it was resolv'd to attack the Village of *Rammelies*, which was the Enemy's principal Post: In order to which 20 Pieces of Cannon of 24 Pounds, and some Hawbitzers, were brought up; and 12 Battalions, who were to be supported by the whole Line, were order'd to make the first Onset, under the Command of Lieutenant General *Schultz*.

See the Plan.

About half an Hour past One, the Artillery of the Confederates begun to play: It was immediately answer'd by the Enemy's Cannon, and both continued Firing with considerable Execution. Whilst the Duke of *Marlborough* was at the Head of the Lines to give the necessary Orders every where, Velt-Marschal d' *Auverquerque* repaired to the Left, where perceiving that the Enemy's Foot, posted in the Hedges of *Franquemies*, gall'd the Horse of that Wing, he commanded four Battalions, with two Pieces of Cannon, under Colonel *Wertmuller*, to dislodge them from thence: Which they perform'd with great Vigour and Resolution. Hereupon the Enemy detach'd two Battalions, and fourteen Squadrons of Dragoons, on Foot, to regain that important Post; but Monsieur d' *Auverquerque* commanded, at the same time, the whole Wing of Dutch Horse to attack the Enemy, which not only prevented their Design, but put those Dragoons into such

Disor-

A. C.  
1706.



\* Thus the Relation, printed by Authority in England, has it: But I was told by some Officers that were in the Engagement, that the Duke was born down by some of the Disorder'd Dutch Horse.

Disorder, that they were not able either to reach the Village, or to recover their Horses, which they had left a good way behind the Tomb of *Hottomont*; And so were, most of them, cut in Pieces, or taken Prisoners. The *Dutch* Cavalry charg'd with a great deal of Bravery, Sword in hand, and soon after the Engagement was sustain'd by the *Danish* Squadrons; but having to deal with the *French* King's Household, viz. the *Mousquetaires*, *Gensdarmes*, *Gardes-du-Corps*, Horse-Grenadiers, and other choice Troops, which were in the Enemy's Right, the Conflict was obstinate, and the Success doubtful, for above an hour. The *Danish* Horse, which fought on the Left of all, behaved themselves with such Gallantry, that they forc'd the Enemy to give Ground, and broke several of their Squadrons; but, at the same time, the *French* had almost an equal Advantage against the *Dutch* Horse of the Right of the Left-Wing; whom they put into great Confusion. To remedy this, the Duke of *Marlborough*, who was advanc'd that way, sent for twenty Squadrons of Horse from the Right Wing: And, in the mean time, rallied some of the broken Squadrons, and gave his Orders for others to charge. In this Place, his Grace was in the Extremity of Danger: For being singled out by several of the Resoluteest of the \* Enemy, and having the Misfortune to fall from his Horse, he had either been kill'd, or taken Prisoner, if some of the Confederate Foot, that were near at hand, had not come, very seasonably, to his Assistance: After which his Grace had still a greater Escape, a Cannon-Ball taking off the Head of Colonel *Briendfield*, his Grace's Gentleman of the Horse, as he was holding the Stirrup for the Duke to remount. The Twenty Squadrons his Grace had sent for from the Right, to reinforce the Left, had but little Share in the Defeat of the Enemy's Right: For by that time they were come up, the *Dutch* and *Danes* having charg'd them both in Front and Flank, had almost compleated that signal Piece of Service, cutting in Pieces the best Part of the *French* King's Household. In the mean time, the Village of *Rammelies* was vigorously attack'd by General *Schultz*, with the 12 Battalions under him. The Enemy having the Advantage of the Ground, defended themselves

selves with great Resolution and Obstinacy, till seeing the whole Line of the Confederate Infantry in motion to support General *Schultz*, and the *Dutch* and *Danish* Horse advancing to surround them, they bethought themselves of making their Retreat, but found it was too late: For they were intercepted by the victorious Horse; and, most of them, either kill'd, or taken Prisoners, Hereupon the rest of the Enemy's Infantry endeavour'd likewise to make their Escape, which they did in better Order, being favour'd by the Horse of their Left-wing, who being cover'd by a Rivulet and Morass, had not yet been attack'd, and form'd themselves in three Lines between *Offuz* and *Autreglise*. But the *English* Horse, having found means to pass the Rivulet, charg'd the Enemy with such unparallel'd Briskness and Courage, That the Enemy, who were, at the same time, attack'd by the *English* and *Dutch* Foot with equal Bravery, gave way on all sides. Their Horse rallied again in the Plains to cover the disorderly Retreat of their Foot; but they were so closely pursued by the Confederate Cavalry, that they were forc'd to divide themselves into three small Bodies, that they might fly the faster three different Ways. Those that took to the Left, were pursued by the *Dutch* and *Danes*, who made great Slaughter amongst them, and took abundance of Prisoners: Those that fled to the Right, were chac'd by the Regiments of *Lumley*, *Hay* and *Ross*; which two last fell in with the Foot Regiment *du Roy*, of whom having kill'd many, the rest threw down their Arms, and begg'd Quarter, which was generously granted. The headmost Regiments of *English* Horse, that pursued the Enemy's Center, were that of Lieutenant General *Wood*, commanded by himself, and *Windham's* (now *Palm's*) Carabineers, headed by Major *Perry*. When they came upon a Rising Ground, they espied seven Squadrons of the *Spanish* and *Bavarian* Guards, among which was the Elector in Person, and Mareschal *de Villeroy*, who hoped with these few choice Troops, to make good their Retreat, and save their Cannon, which was marching in a Line before them. General *Wood* galloped with his own Regiment upon the Enemy's Left, and charg'd them

A. C. 1706. *so vigorously, that he broke them all to Pieces, killing many of them, and taking not a few Prisoners, among whom were two Lieutenant Colonels, one Major, four Captains, and several Subaltern Officers. He took also the Standard of the Elector's Guards, two of his own Trumpets, and kill'd his Kettle-Drummer: The Elector himself, and Marechal de Villeroy, very narrowly †† escaping. Major Petry, at the head of Hunsbami's Carabineers, fell upon the Enemy with equal Briskness and Resolution; put many of them to the Sword, and took several Prisoners, particularly the Major of the Spanish Guards, Mr. de la Guertiere, and Mr. Bruan, Cornet of the same; besides four Officers, and 46 private Men of the Royal Bombardiers, with their Colours. The English Horse and Dragoons followed the Chace through, and by Judoigne, till two of the Clock in the morning; and both they, and the Dutch and Danes, made themselves Masters of all the Enemy's Cannon, to the number of about 50 Pieces; most of their Baggage, about 120 Colours or Standards, and several pairs of Kettle-Drums. The Enemy's Loss of Men, according to the most general Computation, amounted to 5000 Slain, and among them Prince Maximilian and Prince Monbason; and about 4000 private Soldiers, and near 600 Officers, taken Prisoners. The Persons of Note among the latter, were Messieurs Palavicini and Mezières, Majors General; the Marquis de Bar, Brigadier General of Horse; the Marquis de Nénant, Brigadier General of Foot; the*

*The Confederates gain a complete Victory.*

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†† Lieutenant General W—d, in a Letter to a Noble Friend of his, wrote these very Words: 'One of the Lieutenant Colonels, who was much Wounded, remembring me last War, call'd out to me to save his Life, as I did: The other Lieutenant Colonel came to me, and yielded himself Prisoner also. Both these assured me, the Day after the Battle, That the Elector himself, and Marechal Villeroy, were in the Crowd, and not ten Yards off from me, when they two call'd out to me for Quarter, and that they narrowly escap'd us: Which had I been so fortunate as to have known, I had strain'd Corolians (on whom I rid all the Day of Battle,) to have made them Prisoners.'

the Marquis *de la Baume*, Son of the Mareſchal *de A. C.*  
*Tallard*; Monsieur *de Montmorency*, Nephew to the late Duke of *Luxemburgh*, a Nephew of the Lord *Clare*, and ſeveral others. 1706.

This compleat and memorable Victory, next to the *Just Praiſe*  
 Bleſſing of Heaven, (which, during the Courſe of this War, ſeem'd viſibly to aſſert the Juſtice of the *Confederate* *Caufe*) was principally owing to the great Cou-  
 rage, Prudence, Vigilance and Experience of the Chief Commander, the Prince and Duke of *Maribo*  
*rough*, who was perſonally preſent in the hotteſt of the Action; giving his Orders with wonderful Se-  
 dateneſs and Preſence of Mind. The ſecond Honours of this Glorious Day, are due to his Excellency  
 Monsieur *d'Arverquerque*, Velt-Mareſchal of the *Dutch* Troops, who acted with all the Valour,  
 Conduct and Vigour, becoming a great experi-  
 enced General. The other Generals, and inferior  
 Officers likewiſe diſtinguiſhed themſelves; and,  
 among the reſt, the Duke of *Argyle* expoſed his Per-  
 ſon to the greateſt Danger, and received ſeveral  
 ſlight Wounds. All the Troops that engaged,  
 fought with the greateſt Bravery and Reſolution, like Men, who were reſolv'd rather to die, than  
 loſe the Reputation they had gain'd at *Schellemburg*  
 and *Bleinheim*. But it muſt be acknowledged, to  
 the eternal Glory of the *Dutch* Horſe and Foot,  
 that they bore almoſt the whole Brunt of the Fight,  
 having had to deal with the *French* King's Houſ-  
 hold, and other choice Troops, which compoſed  
 the Enemy's Right Wing. The *Daniſh* Horſe were  
 a great Weight to encline the Victory on the Con-  
 federates ſide; and the *Engliſh* had the Honour  
 to compleat the ſame, by having the greateſt Share  
 in the purſuit; as ſome of their Regiments of Foot  
 had in the Engagement. Among the reſt, Colonel  
*Charles Churchill*, who commanded General *Churchill's*  
 Regiment, ſignalized himſelf, by driving, with his  
 Battalion, ſupported by the Lord *Mordaunt's* Regiment,  
 three *French* Regiments into the Moraiſs, where  
 moſt of them were either deſtroy'd, or taken Priſo-  
 ners.

The Loſs of the Confederates in ſo Bloody and  
 Obſtinate a Conflict; could not but be great; yet  
 The Loſs of  
 the Confe-  
 derates.

A. C.  
1706.

did not much exceed 1000 killed, \*† and about double that number wounded ; most of them in the Dutch Service. Among the Slain were reckoned Prince Lewis of Hesse Cassel, Colonel of Foot ; Col. Van Driebergen ; Col. Leersé ; Col. Gammel ; Col. Van Schoonheyde ; Col. Brouck ; Col. Bortwich ; Col. Hirfel ; Col. Murray, Junior ; Col. Biberger ; Col. Fabrice ; Lieut. Col. Baker ; Major Boncour ; Major Roer ; Major Noorman ; Count Van Warfuzze, a Major ; Messieurs Bentingh, Piper, Smirser, Tullekens and Strater, Captains of Horse ; Messieurs Schimmelpennigh, Beckman, de Ozallier and Clerc, Captains of Foot ; Monsieur Winterkamp, a Cornet ; Messieurs Roer and Croenbreecker, Ensigns ; and Adjutant Piper. Among the wounded were reckon'd Col. la Rocque Servier ; Major Grave-vander-nat ; Major St. Pol, who died of his Wounds ; Major Swerin, who was also taken Prisoner ; Major Larny, mortally wounded ; Major Cunningham ; Monsieur Van Bergben, Captain of Horse ; and Monsieur Sutherland, Captain of Foot. Col. Schravemoer was taken Prisoner, but came back upon his Parole. Monsieur d'Auverquerque, who pursued the flying Enemy till One the next morning, was like to have been stab'd by a base Bavarian Captain, to whom he had generously

\*† A List ( printed at the Hague ) of the Kill'd and Wounded of the Army of the Allies, in the Battle of Ramillies the 23<sup>d</sup>. of May 1706.

## Horse.

Two Colonels kill'd, 3 wounded ; 3 Lieutenant Colonels wounded ; 4 Majors kill'd, 3 wounded ; 10 Captains kill'd, 24 wounded ; 6 Lieutenants kill'd, 27 wounded ; 4 Cornets kill'd, 28 wounded ; 8 Subalterns kill'd, 18 wounded ; 343 Troopers or Dragoons kill'd, 695 wounded ; 990 Horses kill'd, 351 wounded.

## Foot.

Three Colonels kill'd, 3 wounded ; 1 Lieutenant Colonel kill'd, 3 wounded ; 2 Majors kill'd, 3 wounded ; 9 Captains kill'd, 38 wounded ; 7 Lieutenants kill'd, 49 wounded ; 8 Ensigns kill'd, 40 wounded ; 18 Subalterns kill'd, 70 wounded ; 641 Soldiers kill'd, 1590 wounded.

Officers of Horse and Foot, 82 kill'd, 282 wounded.

Troopers, Dragoons, and Foot Soldiers 984 kill'd, 2285 wounded.

Total, 1066 kill'd ; 2567 wounded.

roussly given Quarter, and suffered him to keep his Sword; but the Villain was prevented by one *Violet*, a French Man, Groom to that General, who shot the *Bavarian* dead upon the spot.

A. C.  
1706.

The Elector of *Bavaria* and the *Mareschal de Villeroi*, with the greatest part of the broken Remains of their Army, continued their precipitate Flight, till they were got to *Louvain*; where, having held a tumultuous Council of War, by *Flamboy-Light*, in the Market-place, they resolved to abandon that French Place, and to retire towards *Brussels*. On the other hand, the Victorious Confederates, having pursued the Run-aways till Two in the Morning, rested a little near *Meldert*, and at break of Day the Duke of *Malborough* ordered the Army to encamp at *Bavechien*, for the Refreshment of the Troops. In the mean time, his Grace disposed all Things for their March early the next Morning, in order to force the Passage of the *Dyle*; but he received Advice, in the Night, that the Enemy had quitted their Camp, and abandoned *Louvain*; whereupon Bridges being laid over that River, a Detachment of 500 Men was sent to take Possession of *Louvain*; and the whole Army passed the River the next Day about Noon, and took the Camp of *Bethlem*. The same Day the Duke of *Marlborough* wrote the following Letter to the States General:

*High and Mighty Lords,*

‘*M*onsieur the VeltMarshall d’*Auverquerque* having sent Monsieur de *Wassenaer*, to inform your High Mightinesses of the Victory which God was Graciously pleased to give us over the Enemy on Sunday last, I deferred my Congratulations till to day, that I might be able, at the same Time, to acquaint your High Mightinesses with the Success of our Design to pass the *Dyle*, which we had determin’d to attempt this Morning; but the Enemy have thought fit to spare us that Trouble, having left us an open Field, by their Retreat towards *Brussels*; so that, with double Joy, I have the Honour to write this Letter to your High Mightinesses from *Louvain*, where for the Good of the Common Cause, I had long wish’d to be. † Tis certain, that all the Generals, Officers, and Soldiers have done

The Duke of Marlborough's Letter to the States.  
† See the 4th Volume of these Annals, p. 77.  
all 88.

A.C.

1706.



'all that was possible for Men to perform on  
'that Glorious Day; and their Conduct and Bra-  
'very cannot be sufficiently praised. I make no  
'manner of doubt, but that Messieurs, the Deputies,  
'and Monsieur d'Auverquerque, have done Justice to  
'your own Troops; and that your High Mighti-  
'nesses will seek Occasions to acknowledge and re-  
'ward the Deserts of so many brave Men. I have  
'made choice of Colonel Chanclos, to carry this  
'agreeable News to your High Mightinesses, both  
'by Reason of his Merit in the last Campaign, and  
'of his Services in this. He will acquaint your  
'High Mightinesses with the Particulars of all that  
'that has pass'd, and the present Posture of the Ene-  
'my, whom we are resolv'd to pursue. It shall al-  
'ways be my greatest delight to shew to your High  
'Mightinesses my inviolable Adherence, to your In-  
'terest, and that I am, with great Respect, your  
'High Mightinesses, &c.

Louvain, May 25. 1706.

The Prince and Duke of  
Marlborough.

Monsieur d'Auverquerque wrote also the following  
Letter to the States:

High and Mighty LORDS,

'T has pleas'd God Almighty to grant to the Arms  
'of the States, and those of the High Allies, on  
'the Twenty Third of this Month, being *Whit-*  
'*Sunday*, a compleat Victory over our Enemies,  
'for which Blessing we ought to return him our  
'Praises and Acknowledgements. I have given my  
'self the Honour to congratulate your High Mighti-  
'nesses, and to cause an Account of the Particulars  
'of that Action to be given to you by my Adjutant  
'Monsieur de Wulfenaer. We shall use all possible  
'Diligence to improve this Advantage, by vigorously  
'pursuing the Enemy. We pass'd the *Dyle* this  
'Morning, and are come to encamp near *Ter-Banck*,  
'having *Louvain* behind us. The Enemy retir'd  
'upon our Approach, and are, at present, encamped  
'beyond the Canal near *Grimbergen*. I must do Justice  
'to the Bravery and Resolution of your Troops,  
'Generals, and subaltern Officers, by assuring your  
'High Mightinesses, That they have, in Truth, a  
'great



' great Share in the Victory. The *English* and  
' Auxilliary Troops have also maintain'd their Re-  
' putation, and gain'd no less Honour. My Lord  
' Duke of *Marlborough*, according to his laudable  
' Custom, has performed all that could be expected  
' from a great Captain. The Enemy have really suf-  
' fered a great Loss. But I cannot yet acquaint  
' your High Mightiness with the exact number of  
' their Slain. They could only save 2 or 3 Pieces of  
' their Cannon, the rest, to the number of 50, be-  
' ing fallen into our Hands. We have likewise taken  
' 70 Standards and Colours, and 200 high and sub-  
' altern Officers, without reckoning what the *English*  
' have taken. I have given leave to many of my Pri-  
' soners to go home, upon their Parole, for 3 Months,  
' some of them being much Wounded, and others  
' having, by the Fate of War, been stripp'd of their  
' Cloaths. The number of Soldiers taken Prisoners  
' amounts to Three Thousand, whom I have sent to  
' *Maestricht* by the way of *Liege*, to be dispersed in  
' other Places. We have, on our side, lost several  
' good Officers of Note; and among the rest Prince  
' *Lewis* of *Hesse* Colonel of Foot. I shall order an  
' exact List to be given me, of the Officers and Sol-  
' diers that have been kill'd and Wounded in this  
' Action, which I shall give my self the Honour to  
' transmit to your High Mightinesses. I hope and  
' pray, that God will continue his Blessing upon your  
' Arms, and those of your Allies, in order to attain  
' the desir'd End. I am of Opinion, that this Army  
' ought to be forthwith reinforc'd, as much as pos-  
' sible, both to maintain our Advantages, and push  
' them further on; and in order to that, Troops  
' must be drawn out of the Garrisons: since they are  
' now sufficiently out of Danger. The Enemy will  
' do their utmost to make themselves stronger here,  
' and *Mareschal Minsin* is to join them in a day or  
' two with a great Detachment. I remain, with  
' much Respect, &c.

At the Camp near Louvain,

Sign'd

May 25. 1706.

Auverquerque.

Their High Mightinesses return'd the following  
Answer to the Duke of *Marlborough*'s Letter;

A. C. SIR,

1706.



THE News brought the day before Yesterday by Adjutant General *de Wassenear* of the great and signal Victory, which the Army of the Allies under your wise and courageous Conduct, has, by the Blessing of God, gained over that of the Enemy, has fill'd our Hearts, and the Hearts of all the good Subjects of our Common-wealth, with unspeakable Joy, which is now redoubled by the Confirmation of it in your Excellency's Letter of the 25th Instant, which was deliver'd to us before the Arrival of Colonel *de Chanclos*; and, at the same time, acquaints us with your glorious Entry into *Louvain*, from whence we have a long time as much wish'd to hear from you, as your Excellency has desir'd to be there, for the Good of the Common Cause. We do in return, congratulate with your Excellency for the happy Success of this great and glorious Action; a Success principally owing, after the Divine Benediction, to your Conduct and Valour, which will render your Glory Immortal. It is a particular Satisfaction we receive from the Testimony which you have given of the Courage and Bravery of our Troops; For tho' we never doubted but they would follow the Steps of so great a Captain as your Excellency is, yet this Testimony is extremely Advantageous to them, and Acceptable to Us. We will not forget the Services which they have performed on this great Occasion. We pray God to bless more and more all your Designs and Enterprizes: And since your Glory, after the Battle of *Schellenbergh*, *Hockstet* and *Rammelies*, can receive no Addition by the Greatness of Victories, we wish it may by their Number. We desire you to believe, That the Esteem we have for your Excellency's Person, and rare Merit, cannot be greater. We are

Your Excellency's,

At the Hague,

May 27. 1706.

*most affectionate to serve you,*  
The States General of the  
United Provinces of the  
Low Countries.

G. de *Snylt de Serofskercke*,  
By their Command,

F. *Fagel*.  
The

The French having abandoned *Louvain*, and retired over the Canal of *Brussels*, the Duke of *Marlborough* pursued them without loss of time, and having decamped from *Bethlem*, advanced to *Digheim* the 26th of May, N. S. In this March his Grace received the following Letter from the Marquis *de Deynse*, Governor of *Brussels*.

A. G.  
1706.

Sir,

*Brussels*, May 26. 1706.

THE States of *Brabant*, and the Magistracy of *Brussels*, have taken the Resolution to send Deputies to you: They have desired me, Sir, to write to you, most humbly to desire you to send a Trustee to conduct them in safety to the Place where you shall think fit to receive them. I have not the Honour, Sir, to say more to you concerning my particular Interests, and those of other Persons of Quality, who seem resolved to stay here, if you approve of it. I have the Honour to be, with Respect,

S I R,

Your most humble,  
and most obedient Servant,  
The Marquis *de Deynse*.

Hereupon his Grace sent Colonel *Panton*, one of his Aids de Camp, with a Compliment to the Marquis, and the States of *Brabant*, to let them know, he should be glad to see them in the Afternoon. According to this Invitation, they came to his Quarters near *Digheim*, with two other Deputies, one from the Sovereign Council of *Brabant*, the other from the Burgomasters, and City of *Brussels*: And all express'd both their Satisfaction at their being deliver'd from the French Yoke, and their deep Sense of the Obligations they owed to the Queen of Great Britain, and the States General. As soon as they were gone, his Grace, in Conjunction with the States Field-Deputies, wrote the following Letter to the States of *Brabant*.

Gentlemen,

GOD Almighty having bless'd the Arms of the Allies in behalf of His Majesty King *Charles* the Third; and the Retreat of the Army of France having

His Grace's,  
and the  
Field De-  
puties Let-  
ter to the  
States of  
Brabant.

A. C.

1706.



‘ having given us the Opportunity of approaching  
 ‘ your Capital, I come to assure you of the Intentions  
 ‘ of the Queen my Mistress, as the Deputies do on  
 ‘ the Part of the States General their Masters: and  
 ‘ in the first place to tell you, That Her Majesty,  
 ‘ and their High Mightinesses, have sent us to main-  
 ‘ tain the just Rights of his said Catholick Majesty  
 ‘ Charles the Third to the Kingdoms of Spain, and  
 ‘ to all that depends thereon; and that Her Majesty  
 ‘ the Queen, and their High Mightinesses, nothing  
 ‘ doubting, but that you, being likewise convinced  
 ‘ of the lawful Sovereignty of his said Majesty, will,  
 ‘ with Pleasure, embrace this Occasion of submitting  
 ‘ your selves to his Obedience, as faithful Subjects.  
 ‘ We can assure you, Gentlemen, at the same time,  
 ‘ on the part of the Queen, and the States, That  
 ‘ his Catholick Majesty will maintain you in the en-  
 ‘ tire Enjoyment of all your antient Rights and Pri-  
 ‘ vileges, as well Ecclesiastical as Secular; that we  
 ‘ will be very far from making the least Innovation  
 ‘ in what concerns Religion; and that his Catholick  
 ‘ Majesty will cause those Concessions to be renewed,  
 ‘ which are termed *The Joyful Entry of Brabant*, in the  
 ‘ same manner as they were granted by his Prede-  
 ‘ cessor Charles the Second, of Glorious Memory.  
 ‘ As to our selves, we assure you, That the Army  
 ‘ shall be employed every where for your Protec-  
 ‘ tion, in such manner as you desire it; and that we  
 ‘ will most earnestly seek in every thing, the Op-  
 ‘ portunities of shewing the Respect, and sincere E-  
 ‘ steem, wherewith we have the Honour to be,

Gentlemen,

*Your most humble*

*At the Camp of*  
*Beaulieu,*  
*May 26.*  
*1706.*

*and most obedient Servants,*  
*The Prince and Duke of*  
*Marlborough.*  
*Ferdinand van Collen.*  
*Sieur Goslinga.*

His Grace did judge it necessary to write this Letter to the States of *Brabant*, not only to enable them to assemble, but likewise to prompt them to declare immediately for King Charles III. before the Enemy had recover'd their Consternation and came to make a stand. Two other Letters of the like

Tenor

Tenor, were also sent to the Sovereign Council of *Brabant*, and to the City of *Brussels*, which had all the desired Effect: For, the next Day, the Three Deputations attended his Grace, and the *Dutch* Deputies, with three Letters; the first from the Chancellor, and Members of his Majesty's Sovereign Council, which was as follows.

*Our Lords,*

WE have this Morning received the Letter <sup>Letter from the Sovereign Council to the Duke, and the Deputies.</sup> which your Highness, and your Excellencies, were pleased to write to us at the Camp of *Beaulieu* Yesterday; upon which we have the Honour to tell you, that we submit our selves to the Obedience of his Majesty *Charles* the Third, and that we will, upon all Occasions, give him sincere Testimonies of the same Fidelity which we have paid to his Majesty *Charles* the Second, of Glorious Memory. We thank your Highness, and your Excellencies, for the Assurances which you give us, on the part of Her Majesty the Queen of Great-Britain, and the High and Mighty Lords the States-General, and particularly for that his Majesty *Charles* the Third will maintain us in the entire Enjoyment of all our ancient Rights and Privileges, as well Ecclesiastical as Secular, that no Attempt shall be made upon our Religion, and that his Majesty will renew the Concessions, called *The Joyful Entry*, in such manner as the same were sworn to by his late Majesty *Charles* the Second. We send Deputies of our Body to express these our Thoughts by Word of Mouth to your Highness, and your Excellencies, to make our Acknowledgments for the Protection which you have been pleased to promise us upon all Occasions; and to assure you, that we are, with great Respect,

My Lords, *Your Highness's, and Your Excellencies,*  
*most Humble and most Obedient Servants,*  
*Brussels, May 27.* The Chancellor and Members of  
 1706. his Majesty's Sovereign Council.

*Ordered in Brabant,*

*J. Gilson.*

The 2d. Letter from the Members of the Three Estates of *Brabant*, to his Grace, and the Deputies, was in these Words,

*Our*

A. C. Our Lords

1706.

*Letter from  
the States  
of Brabant  
to the same*

WE have received, with all possible Respect, the Letter which your Highness, and your Excellencies, did us the Honour to write to us the 26th Instant, and shall, without any Loss of Time communicate, it in the usual and requisite Form to the other Members of the Three States of this Country, whom it may concern. In the mean time we are come *Our Lords*, to return you a thousand most humble Thanks for the obliging Offers, and the most honourable Marks, we have receiv'd, of the Protection which your Highness, and your Excellencies are pleas'd to grant us, on the part of Her Majesty the Queen of *Great-Britain*, and their High Mightinesses the States-General; as also for the sincere Assurances given, That his Catholick Majesty, King *Charles III.* will maintain us in the full Enjoyment of our ancient Rights and Privileges both Ecclesiastical and Civil, without permitting the least Innovation to be made in any thing that relates to the Church; and that his said Majesty will cause the Concession, known under the Name of *The Joyful Entry of Brabant*, to be renewed in the same manner as was done by King *Charles II.* of Glorious Memory. We do not doubt but the other Members of the States, in the Day, of their general Assenby, will express (as we do at this present) their perfect Submission and Obedience, which shall be followed by that Loyalty and fervent Zeal which we have always shewn for him whom God has granted to us to be our Master and Sovereign. We are also penetrated with a lively Sense of all the Goodness and Favours wherewith your Highness, and your Excellencies in particular, have been pleas'd to Honour us; and we humbly pray that you will be fully perswaded that we have the Honour to be, with Esteem,

Our Lords,

*Your Highness's, and Your Excellencies  
most humble and most Obedient Servants,*

May 27.

1706.

The Members of the Three States of this Country and Dutchy of *Brabant*, who are now in this City of *Brussels*.

By their Command.

H. Van Broecke  
The

The third Letter was from the Burgher-Masters, Sheriffs, and Council of the City of *Brussels*,

A. C.  
1706.

Our Lords,

THIS with profound Respect that we have receiv'd your very obliging Letter, by which your Highness, and your Excellencies, have been pleas'd to assure us of the generous Protection of Her Majesty of *Great-Britain*, and their High Mightinesses the States-General; and that His Catholick Majesty, *Charles the Third*, will maintain us in the entire Enjoyment of our ancient Rights and Privileges, both Ecclesiastical and Civil, without suffering the least Innovation to be made in what concerns Religion; and that his Majesty will renew the Concessions, known under the Name of *The Joyful Entry of Brabant*, in as full and ample manner, as they were granted to us by King *Charles the Second*, of Glorious Memory. We assure you, *My Lords*, that on our Part we will give you the most lively Marks of our Fidelity, Zeal, and Obedience to His said Catholick Majesty. We are likewise very sensible of all the Marks your Highness, and your Excellencies in particular, have been pleas'd to give us of your Goodness, Favour and Protection, and shall eternally acknowledge the Infinite Obligations we have to you; and are, with most profound Veneration,

Our Lords,

Your Highness's, and Your Excellencies,  
most Humble and most Obedient Servants;  
The Burgher-Masters, Sheriffs, and  
Council of the City of *Brussels*.  
H. Jacobs.

Besides the Contents of these Letters, the respective Deputies repeated the great Sense they had of her Majesty's Goodness in relieving them from the Oppression of the *French Government*. The Submission of *Brussels*, which has had so great an Influence on the other Towns in *Brabant* and *Flanders*, will be one of the most curious Points of the History of this Campaign; and therefore we shall add in this Place the following Letter from the Field-

A. C. Field-Deputies of the States, to their High Mightinesses on the same Subject; which sheweth with what Prudence and Dexterity my Lord Duke of Marlborough, and their Excellencies, proceeded in an Affair of so a nice Nature.

*High and Mighty Lords,*

*The States  
Deputies  
Letter to  
their High  
Mightinesses.*

AFTER having given the necessary Orders in *Louvain* to preserve the rest of the Magazines of Meal and Oats, and discover the Provisions the French had put into several Monasteries, we march'd from that Camp (that is *Bethlem*) and being on our March my Lord Duke receiv'd a Letter from the Marquis de *Deynse*, Governor of *Brussels*, in the Name of the Deputies of the States of *Brabant*, and the Magistrates of *Brussels*, wherein they desired my Lord Duke to appoint an Hour and Place to receive a Deputation of the said States, who being now abandon'd by the French, were willing to submit to the Arms of *England*, and the States General. The same Evening, about Six, my Lord Duke did us the Honour to come to our Quarters, and bring along with him the said States of *Brabant*; but before we receiv'd them, we had a private Conference with my Lord Duke, who told us, That he found in them a favourable Disposition, to cause, upon the Demand of his Grace, and the Deputies of your High Mightinesses, the three States of *Brabant* to meet with all possible Expedition, to proceed to the Recognition of King *Charles* the III, for their Lawful Sovereign, in a most solemn manner; whereupon we thought it of the highest importance to the Common Cause, in this juncture, to improve their favourable Disposition, in hopes that the Example of *Brabant*, and the Capital City in particular, will be follow'd by the other Provinces. This will give us likewise an opportunity to persuade them to recal their Troops in the Service of *France*: And besides, we do not question but this will have another good Effect, viz. to encourage the *Spaniards* and *Walloons*, and even the *Bavarians*, to desert; the two former because they may have the same Employments under their Lawful Prince, and the latter, because they are exasperated against the French, whom they charge



charge to have not done their Duty in the late Battle. The Elector himself has express'd the same thing, in very plain Terms. These are the chief things that were agreed upon between my Lord Duke and us, which being set down in writing, and communicated to the Deputies of the States of Brabant, &c. aforesaid, who approv'd the same, Letters were directed to the several Members thereof, to cause their respective Bodies to be assembled to morrow, or next day. We hope that your High Mightinesses will approve our Conduct in this Affair, which is so nice in it self, that it would not admit of any delay, and that you would send us your further Orders and Instructions with all possible speed. Having, in one of our former, represented the Necessity to cause the Artillery to be brought from *Coblenz*, we shall add in this, That having conferr'd with my Lord Duke on that Subject, we have pitch'd upon *Dart*, as the most convenient Place, where that Artillery is to be brought. Your High Mightinesses will give us leave to complain once more, that there is not here any one President of the Council of War, not Fiskhal or Provost, nor any Persons belonging to the Hospital, tho' the former are absolutely necessary for keeping the Troops under a good Discipline, and the other for looking after the Wounded, and take Care of so many gallant Men, who have so bravely and so joyfully expos'd their Lives for the Service of the State. We cannot likewise forbear, on this Occasion, to desire your High Mightinesses to take into consideration, whether it will not be fitting to give some Gratuity to your brave Soldiers, as it has been sometimes practis'd on the like Occasion; for we dare say, That their Bravery cannot be sufficiently praised, and our Enemies admire it, and commend it themselves.

The Enemy had all the Troops of the Household, and the choicest Regiments of all their other Forces, in that Place, and having besides the Advantage of the Ground, and 50 Pieces of Carmon in Front to cover them, they thought themselves Invincible; but notwithstanding the same, the Army of the two Powers, (*England and Holland*) and in  
par-

A. C.  
1706.

particular the Troops of your High Mightinesses, which being posted on the Left, had the Right of the Enemy to engage, where the Troops of the Household, with their Armour on, were, attacked them with so much Vigour in Front and Flank, that they facilitated the Victory to our Right Wing; therefore we take the Liberty to recommend these brave Troops to your High Mightinesses, that they may be encouraged to behave themselves in the like manner on the like Occasions, which may very well still happen this Campaign, which, in all probability, will decide the Fate of this War. We cannot, on the other hand, forbear to acquaint your High Mightinesses, that several Generals of the Cavalry of the left Wing, and even all the Brigadeers, except one, are absent, as are also a great many Officers of lesser Rank, of whom we have order'd a List to be made. We have order'd some Regiments out of the Frontier Places, which are now out of all danger by this Victory, to march, and we desire your High Mightinesses to give Orders to all the Troops in the Provinces, &c. to march, with all speed, that this unspeakable Consternation of the Enemy, and the favourable Season may be rightly improve'd, to the best Advantage. The Confusion the Enemy were in after the Battel, cannot be express'd, as we are inform'd by the *Sieur S'Gravenmoer*, who was an Eye-Witness thereof, having been taken Prisoner when the Enemy broke through our first Line. He reports, That the Elector, notwithstanding his great Courage, and the Bravery he express'd in the Battel, could not forbear to melt in Tears in his Presence, as did also several other Generals. In short, the Victory is compleat, and the happy Consequences thereof begin to appear. We congratulate your High Mightinesses on that Account, and hope to have Matter enough to repeat the Compliment, the Conjunction being very favourable, and the Duke applying himself to it with all possible Zeal. We shall on *Sunday* next return our solemn Thanks to God Almighty, to whom these great Successes are owing, and offer up our Prayers that he would be pleas'd to continue to bless the Arms of the Allies, and put a stop, by means

means of a Lasting and Honourable Peace, to the  
Effusion of Christian Blood. We remain, &c.

A. C.

1706.

*Ferdinand Van Collen, F. A. Baron Van Rbeede;  
S. Van Goslina*

P. S. ' The Towns of *Malines* and *Alost* have  
submitted themselves. The City of *Brussels*, and  
the Court of Justice being assembled, while we  
were writing the Letter above, have declar'd them-  
selves for King *Charles*; but the other Three States  
cannot meet till within 8 Days. There is no  
doubt but they will submit likewise. There be-  
ing a great number of Colours and Standards ta-  
ken by your own Troops, we desire the Instructions  
of your High Mightinesses about the disposal  
thereof. We have order'd to take a List of the  
Names of such who have taken them, that they  
may receive the Reward promis'd for their En-  
couragement.

The 26th the following Order was published in  
the Camp at *Beaulieu*.

' John Duke and Earl of *Marlborough*, Prince of the  
holy Roman Empire, Marquis of *Blanford*, Baron  
*Churchill* of *Aymouth*, one of her Britannick Ma-  
jesty's most honourable Privy Council, Knight of  
the most noble Order of the Garter, Master-Ge-  
neral of the Ordnance, Colonel of the first Re-  
giment of Her Majesty's Guards, Captain-General  
of Her Land Forces, and Commander in Chief of  
the Army of the Allies.

' Whereas God has graciously bless'd the Just  
Arms of the Allies with a Victory over the  
*French* Forces, and thereby brought us into the  
*Spanish* Netherlands, which Provinces we acknow-  
ledge to belong rightfully to his Catholick Ma-  
jesty King *Charles III*; we are resolved to protect  
these Provinces, and maintain all their Inhabitants  
in the quiet Possession of their Estates and Effects,  
as good Subjects of his said Majesty. Wherefore  
by these Presents we forbid all the Officers and  
Soldiers of our Army, to do the least Hurt to the

*The Duke  
of Marl-  
borough's  
order for  
strict Dis-  
cipline.*

A. C.

1706.



' said Inhabitants; but on the contrary, command  
' them to give them all the Help and Assistance they  
' shall require. And declare, that if any Soldier  
' shall be taken plund'ring, or doing any other Da-  
' mage to the said Inhabitants, their Houses, Cattle,  
' Moveables, or other Goods, he shall immediately  
' be punished with Death. And the more effectually  
' to restrain Maroders, and oblige the Officers  
' to keep their Soldiers under strict Discipline, We  
' further declare, that the Regiments or Corps, to  
' which any Soldiers taken transgressing this our  
' Order belong, shall be obliged to make good to the  
' said Inhabitants all the Loss and Damage they may  
' have sustain'd, without any other Form of Process  
' than the Apprehending of such Soldiers in the  
' Fact, who, (as is above said) shall suffer Death  
' without Mercy. And that no Person may pre-  
' tend Ignorance hereof, we command that these Pre-  
' sents be forthwith read and publish'd at the Head  
' of each Squadron, and Battallion of our Army;  
' and that a printed Copy be distributed to each  
' Company. Given in our Camp at *Beaulieu*, the  
' 26th of *May*, 1706.

Sign'd, The Prince and Duke of *Marlborough*.

Malines

*submits,*

May 22.

N. S.

The same day in the Evening the Magistrates of  
*Mechlen* (or *Malines*) waited upon the Duke of  
*Marlborough*, and the Field-Deputies, and made their  
Submission: whereupon his Grace sent Colonel *Du-*  
*rel* Adjutant-General, with a Detachment of 200  
Horse, to take Possession of that Town, whose Go-  
vernor surrendred himself Prisoner.

General

Churchill

*made Go-**vernor of**Brussels.*

† May 27.

*The Army**marches to**Grimberg**The Duke**of Marl-**borough**goes to**Brussels,*

May 28.

The Duke of *Marlborough* having sent his Bro-  
ther General *Churchil* with four Battalions of Foot,  
and two Squadrons of Horse to command in *Brussels*,  
caused the Army † to pass the Canal of that City,  
and to encamp at *Grimberg*, where his Grace, and  
the Field-Deputies, receiv'd the three Deputations,  
and Letters before mentioned; and where it was  
thought fit, after the great Fatigue the Troops had  
undergone, to give them two Days repose. On  
the 28th. of *May*, N. S. his Grace went to *Brussels*,  
and was met at the Gate by the Magistrates of that  
City, who presented him with the Keys; which he  
return'd, with Assurances of Her Majesty of Great  
Britain's

Britain's Protection. After having receiv'd the Compliments of such of the Nobility as had not follow'd the Elector of *Bavaria*, who express'd, at the same time, their Affection and Fidelity to King *Charles III.* his Grace return'd in the Evening to the Camp, where he receiv'd Advice, That the Enemy having carried away their Cannon and Ammunition from *Liere*, had quitted that Place: Whereupon his Grace the Day † following, sent thither a Detachment of 200 Men to take Possession of it. *Liere abandon'd by the Enemy.*

A. C.  
1706.

The *Danish* Troops having had a great Share in the Victory gain'd at *Rammelies*, the Duke of *Marlborough* acknowledg'd that Signal Piece of Service, both by the Praises he gave them himself, and by the following Letter, which he wrote to the King of *Denmark*: *† May 29. N. S.*

S I R,

BEING inform'd that the Letter which I did myself the Honour to write to your Majesty the next Day after our Victory, happen'd to fall into the Hands of the Enemy, I take the Liberty to address this second Letter to your Majesty, to congratulate you, with all Submission and Respect, upon the happy Success which God has been graciously pleas'd to give the Arms of the high Allies over the Enemy, the Particulars of which I forbear to repeat, well knowing your Majesty has had a full account of them from other Hands. We have already reap'd all the Fruits of it that we could wish for, in so short a Time; the Capital City of *Brussels*, and all the other Towns of *Brabant*, *Antwerp* excepted, having submitted to his Catholick Majesty King *Charles the Third*. After the Troops have had a little Refreshment, we shall advance again towards the Enemy, without giving them Time to recover themselves, relying intirely on the Blessing of Heaven, and the Bravery of the Troops, particularly those of your Majesty, who distinguished themselves so eminently, and acquir'd so much Glory in the Battle, that I cannot excuse myself from writing this second Letter to your Majesty, to do Justice to the Duke of *Wurtemberg*, who that Day gave shining Proofs of his Capacity and Valour; as also to all the other Generals, Officers, and Soldiers,

*The Duke of Marlborough's Letter to the King of Denmark.*

A. C.  
1706.

*di-ers of your Majesty's Troops, under his Command, who well deserve all the Praises I can give them, and if I might presume to say it, all the Regard your Majesty can shew for such brave Men. I have not been wanting to do them this Justice to the Queen, and and his Royal Highness, and I hope your Majesty will excuse the Liberty I take in recommending them to your Favour, and also in beseeching your Majesty to believe, that I am inviolably, with most submissive Respect,*

*Your Majesty's*

*From the Camp at Grimberg  
the 29th of May 1706.*

*most humble*

*and most obedient Servant,*

*The Pr. and D. of Marlboroug.*

*The Army  
encamps  
near Aloft,  
May 30.*

The same day, the Duke of *Wirtemberg* was detach'd with 2000 Grenadiars, 1000 Horse, and six Pieces of Cannon, to take Post at *Aloft*, which Place had declar'd for King *Charles III.* two days before. The 30th. the Army march'd from *Grimberg*, and encamp'd near *Aloft*; the Duke of *Wirtemberg* advancing with his Detachment towards *Gavre*, with the Pontons for laying Bridges over the *Schelde* near that Place, in order to intercept the Enemy's Retreat towards their own Frontiers: But as soon as they heard of the Confederate Army's Motion, they quitted their Camp between *St. Dennis* and *Ghent*, and march'd the 31st at three-a-Clock in the Morning towards *Courtray*. Upon Advice hereof, and that the Enemy had evacuated *Ghent*, (leaving only a *Spanish* Battalion in the Castle, with the Duke of *Vintemille*, Governor of the Town) the Duke of *Marlborough* advanc'd near that City, pitching \* his Camp at *Meerlebeck*. Brigadier *Cadogan* approaching *Ghent* with some Horse when the last Battalion of *French* were marching out of it, the Inhabitants appear'd in great Numbers on the Walls, and calling out, with great Joy, *Welcome, Welcome*, would have let him into the Town, telling him there were in the Castle only some few *Spanish* Soldiers, that were dispos'd to lay down their Arms; but the Brigadier contented himself with making his Report to the General, and the States Deputies, who soon after were attended by the Magistrates of that City. The first Day of *June*, being appointed by the Duke of *Marlborough*, as a Day of Thank-

*A Day of  
Thanksgiving  
being observed  
in the  
Army,*

*giving*

giving to Almighty God for the late compleat Victory at *Rammilies*, and the great Advantages that had attended it, the same was observ'd with as much Devotion as can be expected in a Camp. The same Day, the Duke of *Marlborough* writ the following Letter to the States General.

A. C.  
1706.

*High and Mighty Lords,*

I Return you my most humble thanks for the Letter your High Mightinesses have done me the Honour to write to me, bearing date the 27th past. The satisfaction you express of the Services we have done to your Republick, affects us with a due sence thereof, and will encourage us more and more to continue to use our utmost Efforts for the Common Cause. Since my last from the Camp of *Grimberg*, we are come near *Ghent*, having sent a Detachment of 2000 Grenadiers, and 1000 Horse, under the Command of the Duke of *Wirtemberg*, with the Pontons, to lay a Bridge on the *Scheld* at *Gavre*, to endeavour thereby to cut off the Retreat of the Enemy, whose Army was then encamped near the City; but as soon as they had notice of our design, they abandon'd the same, and march'd yesterday Morning at 3 of the Clock towards their old Lines near *Courtray*. Yesterday after our arrival in this Camp, in the Afternoon, the Magistrates of the City came to make their Submission, and we have written to them in concert with Messieurs the Deputies, a Letter to the same effect, as we did to the City of *Brussels*, and we doubt not but they will follow their Example. The Prince of *Vintimiglia* Governor thereof, who has been left in the Castle with a Batallion of *Spaniards*, had sent to us some Proposals, but I am perswaded he will surrender as well as the *Marquis de Deinse*, Governor of *Brussels*. We are sending a Detachment to *Bruges* to receive their Submission, and I have just now written two Letters, one to the *Marquis de Terracina*, Governor of the Citadel of *Antwerp*, wherein are four *Spanish* Batallions; and the other to the Magistrates, to exhort them to submit. Quarter-Master General *Cadogan* is intrusted with those Letters, from which I expect a good Success. I will, with all speed,

*The Duke of  
Marlborough's  
Letter to  
the States.*

A. C. 'impart to your High Mightinesses the Answers I  
 1706. 'shall receive. I am, with all possible respect, &c.  
 Signed, *The Prince and Duke of Marlborough.*  
 At the Camp at Meerlebeck near Ghent, June 1. 1706.

*The Castle  
 of Ghent  
 surrenders.  
 June 2:*

The same Day his Grace sent Major General *Ross* with a Detachment of 600 Horse to *Bruges*, with Letters to invite the Magistrates of that City, and the *Franc*, to the Obedience of King *Charles III.* And at the same time Brigadier *Dewitz* was detach'd with 6 Squadrons to summon the Governor of *Oudenarde*. The same Day, also, the Magistrates of the City of *Ghent* came again to the Confederate Camp to compliment his Grace, who exhorted them to follow the Example of the Cities of *Brabant*, and acknowledge King *Charles*. Count *Corneille* of *Nassau*, Son to Monsieur *d'Auverquerque*, with two Battalions, march'd into that City, upon which, the next Day early in the morning, after some difficulty, the Prince of *Vintimille* gave up the Castle, and the Marquis *de los Rios's* Regiment, that was in Garrison there, surrendered themselves Prisoners of War. The Duke of *Marlborough* went about Noon to the City, and was met at the Gate by the Magistrates, who presented to him the Three Keys, which his Grace returned, and was afterwards entertain'd at Dinner by the Count *de Nassau*. In the Evening the Magistrates attended again his Grace at his Quarters, and made their formal Submission to King *Charles*. Brigadier *Dewitz* sent to acquaint his Grace, at the same time, That at his coming before *Oudenarde* he had summoned the Garrison, consisting of one *Spanish*, and two *French* Battalions, who refused to surrender; but that he had Intelligence, if a small Body of Foot, with Cannon, appear'd, there was no doubt but they would capitulate; whereupon Lieutenant-General *Schotten* marched with 7 Battalions, 4 Pieces of Cannon, and two Mortars, upon whose Appearance the Garrison surrendered the next Morning, being permitted to march out. The same Morning early his Grace received Letters from Major-General *Rosse*, and Brigadier *Cadogan*; the first advising, That upon his approaching *Bruges*, the *French* Battalion that was there retired, and the Magistrates were very desirous to submit themselves to King



King *Charles*; the latter acquainting his Grace, That there were 10 Battallions in the City and Castle of *Antwerp*, who seemed enclined to surrender upon honourable Terms; wherupon my Lord Duke sent the Brigadier an Authority to treat with them. The same day likewise about Nine a Clock, the Magistrates of *Bruges*, and of the *Franc*, waited on his Grace to desire his Protection, and make their Submission in Form to King *Charles*. His Grace also received Notice, That the Enemy had quitted *Damme*, and that 50 Dragoons of Major-General *Rosse's* Detachment took Possession of that Place, who were relieved by a Dutch Regiment out of *Flanders*; and another marched into *Bruges*. In the Afternoon, his Grace sent Colonel *Durel* with a Detachment of 150 Horse, and a Letter to the Governor of *Dendermonde*, to summon that Place to acknowledge King *Charles* III. And a Letter was likewise sent to Major-General *Ross*, for the Governor of *Ostend*, to the same purpose. Of all which Transactions the Duke of *Marlborough* inform'd the States-General by the following Letter.

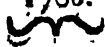
*High and Mighty Lords,*

According to what I gave my self the Honour to write to your High Mightinesses on the 1st Instant, the Castle of *Ghent* was obliged to Surrender the next Day: The Spanish Battallion consisting of 400 Men, with the Colonel, the Marquis de *Los Rios*, and all the Officers being made Prisoners of War, but all the Soldiers, except 50, declar'd for King *Charles*: The Summons we sent to *Bruges*, *lebeck*, and the County of *Franc*, has had the desired effect: The Magistrates came hither this morning to make their submission, and acknowledged their lawful Sovereign in a due Form. We caused a Battallion of the Troops of *Flanders* to march thereinto, and another was sent to *Damme*, which the Enemy had abandoned; but what is more surprizing still is, that having yesterday caused *Oudenarde* to be summoned, and upon their refusal, order'd that Day, Lieutenant-General *Scholten* to Oude-nard sur-  
mon, and 2 Mortars, the Garrison consisting of 3 Battallions has immediately capitulated, and a

The Duke  
of Marl-  
borough's  
Letter to  
the States,  
Dated from  
the Camp  
at Meer-  
N. S.

A. C.

1706.



*French* Battallion therein has obtained leave to retire. The other two Battallions being *Spaniards*, and the Governor, have declared for King *Charles*, and at this Instant I am informed that our Men are got into the Place. This Morning I received a Letter from Brigadier *Cadogan*, whom I had sent to summon *Antwerp*, whereby it appears, that we had not been rightly inform'd of the strength of that Garrison, since he informs me that there are five *French*, and as many *Spanish* Battallions therein. However, he acquaints me that they seem disposed to surrender upon honourable Terms, whereupon, having advised with Messieurs the Deputies, and Monsieur *d'Auverquerque*, and considered the Importance of that Place, and how precious Time is to us, we have sent a full Power to the Brigadeer aforesaid, to grant them reasonable Terms, of which we expect an Account to morrow.

The Hand of God appears visibly in all this, striking the Enemy with such a Terror, as obliges them to deliver up so many strong Places, and large Countries, without offering the least resistance.

This has encouraged me to summon the Towns of *Dendermonde* and *Ostend*, and for that purpose I have sent Detachments with Letters for the Governors. We shall soon know, what this will produce, and I shall not fail to impart it to your High Mightinesses. We have made our Bridges, and the necessary Dispositions to pass the *Scheld*, and the *Lys*, to morrow, to encamp between *Deinse* and *Nivelle*. The Enemies are retired beyond *Courtray*. I am, &c. Signed, *The Prince and Duke of Marlborough*.

P. S. I am inform'd from Monsieur *Scholten*, that the 3 Battallions of the Garrison of *Oudenarde* are all marched away, the *French* to *Courtray*, and the other towards *Mons*.

The Enemy's Army separates.

Here it is not improper to observe, That the Enemy's Army did not continue long near *Courtray*. Monsieur *de Chamillard*, the *French* King's chief Minister, arriving in their Camp the 1st of *June*, had a Conference with the Elector of *Bavaria*, and the Marshal *de Villeroy*, and it was concluded between them, that for preventing the further great Desertion of their Men, and for providing the Frontier Places, and others

others of *Haynaut*, and *French Flanders*, the Army should separate, only leaving 2 Flying Camps, one at *Mortagne* on the *Schelde*, another at *Armentiers* on the *Lys*. Accordingly the Elector of *Bavaria* march'd, and reinforc'd the Garrison of *Mons*, and took up his Residence there: And Detachments were sent to *Tourney*, *Lisle*, *Ipres*, *Menin*, and other Places.

On the 4th of *June*, the Confederate Army march'd from *Meerlebeck*, and having past the *Schelde* and the *Lys*, encamped between *Deynse* and *Nivelle*; where the Magistrates of *Audenarde* came to wait upon my Lord Duke to desire his Grace's Protection, and assure him of their Fidelity to his Catholick Majesty King *Charles III*. The next day the Army march'd again and encamp'd with the Left at *Arsele*, and the Right at *Caneghen*. In the morning Baron *Schelde*, Treasurer of *Antwerp*, whith an Officer of the Garrison, came to my Lord Duke, with Letters from the City, and the Marquis de *Terracena*, Governor of the Citadel, praying, That these Gentlemen might have leave to go to the Elector of *Bavaria*, to receive his Directions upon the Conduct they were to observe in relation to the Summons they had receiv'd from his Grace; my Lord Duke did not think fit to grant their Request, but sent them back to *Antwerp* with Answers to the Letters they brought, and immediately detach'd my Lord *Orkney*, with 1000 Horse, to join Brigadier General *Cadogan*, and invest the Place, with Directions to form the Siege, as soon as his Lordship could be join'd with 16 Battallions of Foot, who were order'd to march for that purpose from *Flanders*. In the mean time his Grace dispatched Orders to Brigadier *Cadogan*, to give the Garrison no more than 4 Hours time to consider of the Capitulation that was offer'd them. The same Day, Colonel *Durel* sent an Express to acquaint his Grace, with the Answer of the Governor of *Dendermonde*, importing, That that Place being well Garrison'd, and provided with all Necessaries, for its Defence, he hoped to merit his Grace's Esteem, by discharging his Duty, and the Trust reposed in him.

On the 6th of *June*, the Duke of *Marlborough* received a more welcome Message: For an Express, who came from *Barcelona* thro' *Genoa* and *Germany*, brought

A. C.  
1706  
~~~~~

The Confederate Army moves on  
And Encamps at Arsele  
June 5. N. S.

uses to Surrender.

A. C. brought his Grace two Letters from King Charles;  
1706. the first of which was in these Words,



*My Lord Duke and Prince,*

*King  
Charles's  
Letter to  
the Duke of  
Marlbo-  
rough.*

‘ Y O U could never have given me more convin-  
‘ cing Proofs of your Zeal and Concern for my  
‘ Service, and the Good of the Common Cause, than  
‘ by interposing your good Offices with the Queen  
‘ your Mistress, in order that the Fleet and Forces  
‘ she had design’d for my Service might use the di-  
‘ ligence they have shewn to come hither. My  
‘ City of *Barcelona*, wherein I chose to continue to  
‘ encourage the Garrison and Inhabitants to a long  
‘ and vigorous Defence, was reduced to such Extre-  
‘ mities, that without the arrival of this Fleet and  
‘ Succours, it was to be fear’d, that the Enemies,  
‘ who were actually lodg’d on the point of the  
‘ Counterscarp, and had made a sufficient Breach,  
‘ would have taken the Place in a very little time.  
‘ I do hereby acquaint you with so fortunate an E-  
‘ vent; and while I hope that the rest of the Cam-  
‘ paign will answer this noble beginning, I flatter  
‘ my self to hear likewise, in a short time, good News  
‘ from you, and the glorious Operations you have  
‘ performed by your own Valour, and that of the  
‘ Troops under your Command. The Queen, your  
‘ Mistress, and Messieurs the States-General could  
‘ not oblige me more than in sending hither the  
‘ Count *de Noyelles*, and Brigadier *Stanhope*, assuring  
‘ you, that their Persons have always been, and al-  
‘ ways will be acceptable to me. I do not question  
‘ but you interested your self in the choice of both,  
‘ as you do in every thing that may promote my In-  
‘ terests, and those of the Common Cause: Where-  
‘ upon I pray God to keep you, my Lord Duke  
‘ and Prince, in his Holy Protection, and I assure  
‘ you of my perfect Esteem and Gratitude.

*Barcelona May*

10. 1706.

The other Letter was as follows,

My Lord Duke and Prince,

BY these few Lines, which you shall receive, with a Letter of the 10th Instant, I have been willing to share with you the New Joy I have of seeing my City of *Barcelona* entirely freed from the Siege. Never was Retreat made with so much Precipitation, as that the Enemy made just now; having left us all their Artillery, consisting of 140 Pieces of Brass Cannon, and a vast quantity of all manner of Ammunition and Provisions, beyond Belief. I do not doubt but you shall receive, from other Hands, the Particulars of this Siege: Wherefore I write this the shorter; Praying God to keep you, My Lord Duke and Prince, in his Holy Protection.

*Barcelona, May 12. 1706.*

CHARLES R.

Upon the Receipt of this joyful News, the Troops and Artillery were drawn out the next Morning, and a triple discharge made of the Cannon and small Arms. The same day, at Noon, my Lord Duke werp received Advice from Brigadier *Cadogan*, That the Day before the Governors of the Castle and Town of *Antwerp* had signed the Capitulation, by which the Garrison consisting of Six French, and as many Spanish Regiments, was allowed to march out in three days, and to be conducted to *Le Quency*. At the same time, arrived another Express from Major General *Ross*, with the Answer of the Governor of *Ostend*, to the Summons made him to surrender, importing, That he had sent to the Elector of Bavaria, and hoped he would be excused, if he defended the Place, till further Orders: Whereupon a Detachment was commanded to march, and of itself of *Plessendael*, upon the Canal near *Antwerp*, to facilitate the Siege of that Place. The Day before, the Assembly of the States of *Flanders* passed the following Resolution, touching the Recognition of King *Charles III.*

The Letter which his Highness my Lord Prince and Duke of *Marlborough*, and their Excellencies Messieurs the Deputies of the States General of the United Provinces, have been pleased to write to the Assembly of this Province of *Flanders*, *Charles III.*

A. C.  
1706.

ders, having been read with due respect, and the advantageous Contents thereof being taken into consideration, It has been unanimously resolved to acknowledge, as the said Assembly acknowledges by these Presents, the Sovereignty of his Catholick Majesty *Charles III.* to whom they submit as good and faithful Subjects, in hopes, and in confidence that his Majesty will maintain this Province in all their Privileges, Uses and Customs, as well in Temporal as Spiritual Concerns. That his Majesty, as Count of *Flanders*, will not suffer that any thing relating thereunto be any ways changed or lessened; and that he will agree to, and approve the Constitution of the Government of the said Province, Courts, Country, Towns, Chateaux, Offices, and generally all the Districts of the same, either as to the Farms of the Revenue of the Province, or the Sums borrowed to this day, upon what account soever they be, without any exception for the security of the Publick in general, and the security of private Men in particular. And for the performance of what is hereabove expressed, his Highness my Lord Prince Duke of *Marlborough*, and their Excellencies Messieurs the Deputies of the States General of the United Provinces, are most humbly desired to be pleased to ratify what they have had the kindness already to grant to the Colleges and Cities of this Province, upon the Prayers and Representations made unto them. And forasmuch as many Inhabitants of this Province, as well Clergy-men as Secular, find their Estates were confiscated and seiz'd, 'tis hoped that these Confiscations and Seizures will entirely cease from the date of this present Submission. Done in the Assembly of the Deputies Spiritual and Temporal of the Provinces of *Flanders*, in the Town-House of *Ghent*, June 6. 1706. Sign'd *T. Thybaert*, and sealed with the Great Seal of the Province of *Flanders*.

The whole granted in the Name of his Catholick Majesty King *Charles the III.* At the Camp of *Arfeel*, June 7. 1706. Signed, The Prince and Duke of *Marlborough*, *Ferdinand Van Collen*, *J. H. Baron Van Renswoude*, *J. Van Gossinga*, *Cuyper*.

Thus

Thus, in the space of Fourteen Days, (from the 22<sup>d</sup> of May to the 6<sup>th</sup> of June, N. S.) the Duke of Marlborough entirely defeated and dispers'd one of the most gallant, and best appointed Armies, that ever France brought into the Field; and recovered the whole Spanish Brabant: the Marquisate of the Holy Empire, with its Capital, the famous City of Antwerp; the Lordship and City of Malines, and the Capital City, with the best Part of Spanish Flanders: An Event, which can hardly be paralleled any where, but in the Sequel of this Year's History, when we shall come to relate the Duke of Savoy's, and Prince Eugene's Glorious and succesful Campaign.

It was not possible either for the Artillery, or the Provision-Waggons, to keep Pace with the rapid March of the Confederate Army, which being therefore unable to undertake any thing for several Days, the Duke of Marlborough resolv'd to make a Journey to the Hague, to confer with the States General about the further Operations of War, and other Matters of Importance. Accordingly, his Grace having left the Army at Arfele, under the Command of Velt-mareschal d'Auverquerque, set out the 8<sup>th</sup> of June for the Hague, where he arriv'd the next day: But before we bring his Grace back to the Camp, let us take a View of the Affairs of Spain, where France had taken such Measures as to attack King Charles, both by Sea and Land, before he could be relieved; and where, nevertheless, contrary to all humane Expectation, (so marvellous are the unheeded Springs of Providence) the towring Projects of that Crown were first over-turned.

The taking of the City of Barcelona, the year before, had such an Influence, that partly by the Fame of so extraordinary an Action, but mostly by a voluntary Disposition of the People, all the rest of Catalonia, Rosas only excepted, immediately declared for King Charles III. So great, sudden and unexpected Acquisitions and Successes, had like to prove fatal to that Monarch's Affairs: For those \* about him, instead of providing for the Security of what they had got, till the Return of the Confederate Fleet, with fresh Reinforcements, acted, in a manner, as if they had nothing to do. They began to interfere with the

Affairs of Spain.

Divisions and Mis-managements in King Charles's Court.

\* Particularly Pr. Li—n.

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the Earl of *Peterborough's* Authority, and intrench upon his proper Charge and Business, with arbitrary State; Instead of Caresing those that had already declared, thereby to bring over those that had not, they fell into Divisions, Piques, and Contradictions; And whereas they should have laid out the Money that was advanced them to the immediate Service of what most required it, they consumed the greatest Part in what might have been spared, at that ticklish Juncture. Others again, lavished a great Part of that Time upon Courtship and Diversions, which might to much better Advantage have been bestowed on the Inspection of the Soldiers, the Repairs of the Fortifications, and the Gathering Stores of Provisions. The Natives, on the other hand, imagining, by all this, their Security to be real and solid, immediately threw off all farther Apprehension; confined their Thoughts again to their proper Callings, and endeavoured to put a stop to the Funds they were raising for their Defence and Safety. By these Neglects, the Soldiers lay starving and Dying in great Numbers; the Breaches at *Barcelona* and *Montjuich* Unrepaired; the Garrisons unprovided, and Intelligence not looked after. At length the Enemy's Motions, to regain what had been conquer'd by the Confederates, awak'd King *Charles's* Council out of their Lethargy; but yet they acted in so drowsie and Supine a manner, that they seem'd to go stumbling on to their Ruin. The Troops were divided into *Tortosa*, *Lerida*, and *Girona*, which, indeed, saved the Lives of many; for the Soldiers were better used, and at cheaper Rates, on the Frontiers, than at *Barcelona*; but then a Handful of Men, only was left in that Capital City, and little care taken of repairing the Breaches.

The Thing the Confederates wanted most, in order to make a stand against the Enemy, was Horses, and these were not to be had in *Catalonia*, but in *Valencia*. To have them there, they were oblig'd, of Course, either to make the Inhabitants their Friends first, or to take their Horses by Force, both which Experiments were equally dangerous at that Time; and the former, perhaps, the most to have been avoided: For by their Declaring for the Allies, when the latter had neither Money,



Money, nor Ability enough to protect them, they should but the more quicken the speed and industry of the Enemy, and lessen their own Strength, by grasping more than they could possibly hold. However, the City of *Valencia* having declared † for King *Charles*, the Enemy threatening to lay Siege to that City; and there being an absolute Necessity of having Horses, the Earl of *Peterborough*, with the Court's Approbation, enter'd the Kingdom of *Valencia*, with about 1500 Hundred regular Troops, and about as many *Catalans*. His Lordship found as unexpected Success in that Kingdom, as he had in *Catalonia*; for, in a few days, he advanc'd to the very Capital City, after having reliev'd *San Mattheo*, which had been stoutly defended by Colonel \* *Jones*, and forced, or rather wheedled Brigadier *Mahoni*, to the Surrender of *Morviedro*. But yet this large Stride was like to have proved most fatal in the Consequences; for the Enemy, who had long before been sufficiently awaken'd, did not so much march, as fly, to suppress this spreading Flame; And having gather'd all the Forces they could possibly spare from the Frontiers of *Portugal*, from *Italy* *Provence*, *Flanders*, and the *Rhine*, appear'd on the Frontiers of *Aragon*, *Valencia*, and the *Ampurdan*, even almost before their Approach was known in *Barcelona*.

The Duke of *Anjou* set out from *Madrid* the 23<sup>d</sup> of February, N. S. and by a very easy Progress arriv'd the 14<sup>th</sup> of March, at *Caspe*, where the Marshal *de Theffe* was incamp'd with an Army, consisting of about 14000 *French* and *Spaniards*, which four Days after advanced to *Fraga*. It was generally believed, that that Prince would open the Campaign with the Siege of the City of *Valencia*, and that at the same time, the Duke of *Noailles*, who had enter'd *Catalonia* with about 8000 Men, would attack *Girona*, that they might afterwards, with more Ease join their Forces, and lay siege to *Barcelona*. But  
if

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† See the  
Annals of  
the last  
Year, p.  
159, 160.

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\* In the Annals of the last Year, p. 160. he is call'd Don Juan by a mistake, occasion'd by following too closely the German Accounts; which may induce the Readers to believe him to be a Spaniard, whereas he is an Old Britain or Welch-man.

A. C. if this was a real Project, the same, it seems, was laid aside, and the Enemy fixed their Eye wholly upon 1706.

*The Duke of Anjou resolves to attack Barcelona.*

this last City, invited to that beyond all other Places in the Hands of the Allies, by reason King *Charles* was there; and being in Honour oblig'd to continue there, the Reducing of it, would, at one Blow, decide the Competition about the Monarchy of *Spain*; And because having a Stanch Party there, that gave them secret Intelligence of all, and consequently of the ill condition of the Fortifications, they could not reasonably expect to meet with great Difficulties in that Enterprize: Which they resolved to carry on both by Sea and Land. In order to compass their Design with least Expence of Blood and Treasure, they first endeavour'd, by their Emissaries, to persuade the Confederates in *Barcelona*, that they intended to stand barely upon the Defensive; and afterwards amused them with several Feints and Offers, as if they would fall upon *Lerida*, *Girona*, or some other Place: by which Management they drew almost all the Forces, the Ingeniers, and the Ammunition from *Barcelona* to the Frontiers.

*Count de Tholouse* oblig'd the Enemy to put off the Execution of their Design, and was the original Occasion of its Mis-  
*meets with a Storm at Sea.* carriage. That Admiral sail'd the 3d of *March*

N. S. with about 24 Men of War, some Frigats, and above 200 Tartans and Barks, laden with Cannon, Provisions and Ammunition, steering his Course for the Coast of *Catalonia*, but was forc'd back to the Isles of *Hieres* by contrary Winds. He put to Sea again the 8th of that Month with a favourable Gale; but that very Evening he met with a violent Storm, which continuing a whole Fortnight, dispersed his Fleet, disabled some of his Capital Ships, and forced many of his Tenders a-shore. However, the Admiral, with the best Part of his Fleet came on the 21st into the Bay of *Roses*, where he continued some Days; and in the mean while detached twelve of his Ships of War, to look out for three *English* Frigats, that were carrying Supplies of Money from *Italy* to *Barcelona*.

*He arrives in the Bay of Roses, March 21.*

On the other hand, the Duke of *Anjou* having pass'd the *Sagra* with his Army, advanced between *Lerida* and *Tortosa*, by which Motion he drew off to this last Place all the Remainder of the Confederate

rate Troops in *Barcelona*, the *English* Guards only excepted, and those employed in Guarding the King's Person and Water-Gate only. On the 1st. of *April* Twelve other *French* Men of War, and Frigats, the Remainder of the Count *de Toulouse's* Squadron appeared before *Barcelona*, which awakening the Court, and Inhabitants, the latter fell immediately upon running up the Breach, tho' with the Slowness natural to the *Spanish* Nation. Some Days before, the Enemies Two Bodies advanced towards *Barcelona*, but yet in such a manner, that they seemed not to have a Design upon it, but only to hinder any more Forces from entring *Lerida* or *Girona*; and consequently confirmed the Court in the fond Belief, that they still aim'd at those two Places. Thus far the Enemy had acted with great Conduct and Address; but their next step was a very false one: For they spent 8 or 9 Days in a march that might have been performed in Two; which gave those in *Barcelona* Time and Opportunity of slipping into that City, about 200 Men; and of Repairing the Breaches and Fortifications, with more Diligence than before, the People being excited by the Clergy, Abundance of whom set their own hands to the Work. But the most foolish Conduct the Enemy was guilty of, was at Sea: For eight or Nine of the Ships they had sent to intercept the Three *English* Frigats, constantly riding at Anchor, They failed of their Design on the one hand, (the Money being safely landed at *Terragona*) and alarm'd *Barcelona* on the other: especially when there came an additional Number of 12 more Sail. So surprizing an Approach of the Enemy very much dashed the City, and especially the Court, tho' the King least of any: For when advised, and prest by some about him, to withdraw from the City, he stifiy opposed it; And even on the 2d of *April*, when the Two Armies of *Charles* the Enemy were so very near, and that they renew'd their Request, with so much vehemence that his Majesty was over-perswaded to make his Escape, yet when the Hour came, he altered his Mind, and determined to continue in the Town to the last: By which heroical Resolution, he was, under God, the main Instrument of its Preservation. An *English* Officer who was in *Barcelona* during all this

A. C. memorable Siege, has given us the following Journal of it:

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*A Journal  
of the Siege  
of Barcel-  
ona.*

On the 2d, of April N. S. in the Evening, the Forces that came from about *Girona*, under the Command of the Duke of Noailles joined part of those that came from *Lerida*, and encamped before the North-side of the City, the Right Wing reaching to the Foot of *Montjuich*. The next Day, both Armies joyned in the Plain between the *Llobregat* and *Montjuich*. About Nine in the Morning, they made an Attack with a Body of Foot (supported by two of Horse) on the weakest and most Westerly part of the Out-works and where were only 100 *English* of *Hamilton's* Regiment, who had that very Morning come upon Duty, from travelling 40 Leagues in the two foregoing days upon Mules; notwithstanding all which, they fairly repulsed the Enemy that came very briskly upon them, Firing and Loading as they advanced in very good order. The Enemy made one or two Offers more, but not so briskly as the first. The Town being alarum'd at this unexpected and sudden Attack, the Guards were immediately ordered up, leaving only Twelve to guard the King's Court and Person, but the Enemy thought fit to make no further Efforts that day; and the *Catalans* being by this Repulse made sure that the Enemy they had to deal with, were only Mortals like themselves, became so familiarly bold, as to advance without our Works and pickeer upon the *French*. The following Night we stood watchfully upon our Guard, expecting then, or early next Morning a vigorous Attack, but the Enemy proved quiet and civil beyond our expectation.

In the Morning, being the 4th, we perceived their Camp from the top of *Montjuich*, their Tents reaching from the Foot of the N. W. side of that Fort, five or six Miles in length, but with some Gaps or Intermissions, on purpose to appear very numerous, and indeed by the appearance they made in their Tents, our Officers concluded them above Twenty Thousand.

This Day we disturbed the Enemy with our small Parties, as well upon *Montjuich* as in their Camp

‘Camp too, where a Body of *Miquelets* made a Sally down from the Neighbouring Hills near the *Convent of Gracia*, and took from the Enemy Seven Hundred Sheep, and twelve Mules, in the Face of their whole Camp; and tho’ two Squadrons of Horse drew out to rescue them, our Friends fairly repulst them. The *Miquelets* in Town sallied forth too, and made their advanced Guards not a little uneasy, by pickeering upon them; now and then we sent a Cannon Ball from our Walls, which commonly fell short of the Enemy.

‘*April 5th*, This Morning we found the Fort (near the Strand West of *Montjuich*, and which commands all the shore on that side,) in the possession of the Enemy, *surrendred*, as supposed, by treachery, for with Fifty good Men it could have held out till beat to the Ground; this accident made the City jealous of the Governor of the Castle, so they, this day, placed a new one there.

‘The Enemy having got this Fort, fell immediately upon Landing their Provisions, Cannon and all other Ammunition; all which they were in want of, particularly the first; for being now settled in this Camp, the Country brings them in nothing but what they raise by compulsion, and that costs them very dear, being apt to be cut off by the *Miquelets*.

‘We this day perceived their Camp to be much augmented by the remainder of the Troops that came from *Lerida*-side; but what made amends for this, was the arrival of my Lord *Donnegal*, Major General *St. Armand* and Four Regiments of the Garrison of *Girona*, two whereof were of the new rais’d Troops in this Country and consequently of no great value. To hinder us of more Succours that way, the Enemies left Wing march’d with their Baggage a League or two more Eastward, so that they almost quite invest both Castle and City, but their Camp is but in one Line, and with several wide Intermissions. This day we found out a treacherous Design of the Enemies, for a Fellow in the Garrison of *Montjuich* Castle, the foregoing Night, hired a Boy (who confess’d the fact) to put out all the Matches, and throw off all the Priming off the

A. C. Match-Locks he could meet with, especially on the Quarter where the Enemy design'd the Attack.

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6th. All that the Enemy seem to have done this Day, is Landing and carrying Provisions, &c. to their Camp, and in stretching it more Easterly: This day We had it confirmed, That the Duke of *Anjou* is in *Serich* (at the same House where *Charles* the 3<sup>d</sup> was last Year). This Evening he went aboard the Fleet (which saluted him with all their Guns) perhaps upon a Consult, or rather, not thinking himself very safe ashore: For the Evening before the Miquelets made a second Descent from the Hills near *Serich*, where they killed 2. or 300 of the Enemy, with the loss of about 50, and put them into such a Consternation, that the Duke was fain to escape by a back Door, leaving his Hat behind, and the Miquelets secur'd some of his Plate and Household Goods,

*Charles* III. has been every day abroad on Horseback, sometimes at *Montjuich*, sometimes round the City Ramparts, and is indeed the very Life and Soul of the People; for the first day, when the Enemy designed to have surprized *Montjuich*, and Death and Despair was seen on every other Face; nothing was legible on this glorious young Prince's Countenance but *Semper idem*, his usual Colour and Serenity.

This Day came by Water (with great Difficulty and Hazard) the remainder of our Troops from *Girona*, and some Dragoons from *Lerida*, so that we have now 3000 or more regular Troops, besides the City Militia, that do constant Duty, in all Places without reach of Danger.

My Lord *Donnegal* and Major-General *St. Amand* command the Troops in the Castle by turns; General *Ulfelt* commands in the City, and an old Spaniard on the Line of Communication, betwixt the City and Castle; which we are working at, being apprehensive of an Attack that way from the Enemy, which would ruine the Subsistence of the Castle.

This Morning we find their Camp more spread to the Eastward, and not so close and firm as before: They have carried on two Intrenchments,

one

one beginning at *St. Madrona*, the other at the West side of the Hill, both leading to each other. We molested them in the Forenoon only from our Works, but at 5 in the Evening some Miquelets sallied down, and drew 6 pair of Colours from the Works, but they turned again and recover'd their Intrenchments.

We endeavour to disturb them (at the Bomb Battery they are raising) by our Cannon, but have not one Gunner that understands any thing.

8th Early this Morning they begun to throw their Shells at *Montjuich* from two Mortars, and are shelter'd within Musket shot of the Castle; but we put a stop to them in the Afternoon by a Sally, with a body of Miquelets, sustained by about 200 of our Regular Troops; we beat them out of their Trenches, but they have Houses and old Structures to shelter them, and 4000 of 'em coming with 12 or 15 pair of Colours, beyond our Expectation, obliged us to retreat: For it seems they had got Intelligence, and accordingly prepar'd for this Sally; however we killed and wounded abundance more than they did of us, for by report they had no less than eleven Carts with their wounded. There was one Subaltern Officer taken Prisoner on each side. As for their Bombs they have hitherto done little or no Execution. We had abundance of small Craft that brought us Fascines by Water, and 2 Galliot's have got safe in, with Corn and Flower from *Villa-Nova*.

The above-mentioned Sally alarmed all their Camp, especially when they saw our Horse drawn out, making about 600, but did nothing.

9th. This day they ply'd us with some Shells, but not so warmly as Yesterday; many of their Bombs are ill made, many ill thrown, and not one has taken Effect, or kill'd a Man since they begun; whereas, I am perswaded, we slay abundance with our great Guns, for our Men begin now by practice to shoot better. The Enemy have made but small Progress this Day in their Trenches; and by the Multiplicity of them, they look as if they would not run them up to our Out works, but make them fit to contain a strong body of Men, that at once they

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may fall out and carry our Outworks Sword in Hand; but they'll be disappointed, if *Heaven be not partial*. These Works of theirs front the North side of the Castle; for the West point that was formerly so weak, is, by this time, strongest: For besides other helps, we have cut a Trench through the Rock, so that all our Works within that Point are now intire, and very defensible. About 5 this Evening the Enemies Camp was alarm'd by our good Friends, (supposed to be the Prince of Hesse, Colonel Nebot, &c.) near *Seriah*, who, we perceive, have made Bonfires of that and some neighbouring Houses, and obliged the Enemy to draw out: And we on the other hand, sent out our Horse, with some Miquelets to favour the one, and plague the other. We would have daily abundance of Deferters, were it not for our Miquelets, who slay all they catch; because (they say) the Enemy deal so by them; but all that fall into *English* or *Dutch* hands are safe. The Enemy, it seems, have but about 3 pence or 3 pence half penny a day, and a Bisket Subsistence; and all their Dependence is on their Sea Provisions: so that in effect, we rather besiege them than they us; and barring Treachery and Surprize, they will as soon conquer the Grand *Türk*, as *Barcelona*. The Inhabitants now seem fully perswaded of it, for all Shops are daily open, every Trade goes forward; the Women laugh, and the Boys sing; and all sleep at Night without dreaming of Sieges; not but that we stand upon our Guard, which is reckon'd here a Diversion, not a Hardship; so heavy are they in this Occasion.

10th. The Enemy continue bombarding us, but do little damage; We found this Morning that they had run up one Trench within Pistol-shot of our Out-works, just facing the fine Stone Centry-Box, that's unfinish'd; but that Line lying wholly open to us, we made them scour from it at day-break with our small Shot. We endeavour to make the Place stronger and stronger every hour by additional Works.

12th. Last Night we kept such a continual firing upon the Enemy, where we suppos'd they were at work, that in the Morning we found they had made



made but very little progress with their Trenches ; and besides, we gall them much with Stones from our Mortars, which, in the Night, are of more effect than Shells. They have ply'd us pretty warm this day with their Bombs, but have done little damage to our Men, and none at all to our Works or Ammunition. This Evening we are marking a Camp on the side of *Montjuich*, betwixt the Town and Castle, that our Troops may be more at hand in case of need.

12th. This Morning we found the Enemy had turn'd one of their Trenches into two Batteries of 6 Guns apiece, each facing one of the two Northern Bastions of *Montjuich*. Their Men in making their *Ambraſures* wrought so open, that we pick'd off several of them, yet their Work still went forward by fresh Men. This day, they have ply'd us with their Bombs, but with the usual success. We are mending the Bastion without Port Antonio, where there's mounted 3 Mortars and 2 Guns, and ordering, the Curtain of the City wall betwixt the said Port and the late Breach) so as the Gunners may ply their Artillery with much more security than formerly, and we shall have a good many large Guns mounted there ; for the Enemy are already beginning to run down Trenches that way from *St. Madrona*. They seem to have got ashore all that they want from aboard their Ships, the Weather favouring them much, and their small Craft is perpetually going and coming from the Eastward ; they have 2 or 3 small Ships and a half Galley to the Eastward of the City, that lies so near the Shoar, that none of our Barks, Feluccas, &c. can pass as formerly. Their Camp is more extended (and consequently weaker than formerly) in so much that the *Convent of Gracia* appears to be the or half way of it.

On the 13th the Enemy mounted 12 Guns upon 2 Batteries, and 4 Mortars, with which they ply'd us as warmly as possible ; the Dutch being upon the exposed Posts that day, about, 25 of them were wounded and killed. We ply'd not those Guns that fac'd them as formerly, finding it difficult to get Fellows to stand them ; and the Miquelets stay not in our Out-works as before, so that I doubt we

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' shall have none but our own Troops to trust to  
' when the Enemy storms us; however we forward  
' and better our Works as much as Time, the Enemy,  
' and the Rockiness of the Ground, will permit.

14th. ' This Morning the Enemy play'd from no  
' less than 4 Batteries, one to the Eastward, and the  
' other to the Westward of the two former; and the  
' last, as it will be much the greatest when finish'd,  
' so our Works and Men lie most exposed to it.  
' They ply us with all the vigour imaginable, and we  
' are passive in the Matter, only now and then fire a  
' small Gun upon them, to let them see we are not a  
' sleep. We hope the Earl of *Peterborough* will con-  
' vince them, and us, that he is not so, and that  
' the Prince of *Hesse*, and he will not delay. A  
' Bark got safe into *Musteren* from *Genoa*, having  
' Letters for the Court from *England*, &c.

15th. ' This Morning the Enemy had brought up  
' their Westmost Trench within half Pistol shot of  
' our Out-work on that side; and by the Report of  
' a Defenter, 14 whereof came over to us this Morn-  
' ing, they had a design to have attack'd us there last  
' Night, but something was lacking to them. We  
' take it for granted they will attempt it this Night,  
' and accordingly we are preparing that point of our  
' Out-works to receive them, which if lost, and they  
' make a Lodgement there, they will in a few days  
' determine the Fate of *Montjuich*.

16. ' Last Night at 8, the Enemy begun an At-  
' tack on our Westmost Out-work, where were plac'd  
' according to their Turn, ( and which I suppose  
' the Enemy was acquainted with ) the new *Spanish*  
' Foot-guards, who gave way, and precipitately re-  
' tired upon the Enemy's first Onset; so that at  
' One they advanc'd to the Place where our Guards  
' and Grenadiers were posted, and had carry'd that  
' too directly, had we not acted like *Englishmen*.  
' Never any Soldiers behaved themselves better than  
' ours on this occasion. Some of them, nay, and My  
' Lord *Donegal* himself too, throwing back the En-  
' mies Grenadoes upon them. The heat of the At-  
' tack lasted about two hours; after which the rest of  
' the Night was taken up in popping at each other,  
' but could not make them quit the Post they  
' had got, where we presume they will, with all Ex-  
pedition.

'pedition this Night, raise a Battery, and consequent-ly oblige us with the greater Earnestness to cry out, *Good Lord come and help us.* They endeavour at the same time, to terrifie the City as much as possible by throwing burning Cannon Shot, among us, and this Night we expect the additional Entertainment of Bombs; for besides their Mortars by Land, two Bomb-Ketches came into their Fleet Yesterday.

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17th. Last Night we kept firing upon the Enemy to hinder their making any Advantages of the Post they had gained, but we found this Morning (so indefatigable are they) they had not only raised a new Battery, but made Intrenchments too in the best manner their Ground would admit to secure it. This Afternoon the two Bomb-Ketches, under the Protection of two Men of War, came to an Anchor betwixt the Hungry Bastion (so called) and the Mole Bastion, and within Gun-shot of the former, which has not yet fired upon them. This Motion of the Enemy made a greater in the City, for all began to remove their Goods into Churches, and their Persons to the most distant or obscure Parts of the City. The King, the Portuguese Ambassador, &c. removed too. This day Monsieur Lapara, the Enemies chief Ingenier, and a Lieutenant-General, going with 8 Ingeniers to view an advanced Work of Montjuich, received a Musket-shot in the lower Part of the Belly, of which he died two Hours after: Which is a considerable loss to the Enemy.

18. The Enemy made no fresh Attack last Night at Montjuich as we expected; they kept now and then a Gun firing, to fright our Spaniards from clearing the Breaches they make in the day, when they fire desperately. Their Mortars keep playing there still, sometimes 3 or 4 Shells together.

19. This Morning before Day, the Enemy threw 8 or 10 Bombs, into the City from their Ketches, and abundance of Shot from St. Madrona, which awes our Spaniards so much, that we cannot get them to work on the Courtine as usual; and as for Montjuich, their Guns and Mortars play with all the fury imaginable, and they expect to make the Angles of the Bastions capable of an Attack to Morrow.

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‘Morrow. Our losses are not so considerable as perhaps the Enemy believe, one of the worst Misfortunes we have met with was this Morning in *Montjuich*, where one of our wretched *Spanish* Gunners, instead of hitting the Enemy, killed and disabled several of our best Men at the West point of our Works; such losses go hard with us, for tho’ we have good Men enough to baffle the Enemy upon any fair Attack, we have not enough (we dare rely on) to relieve and refresh each other. There is no trusting to *Neapolitans* nor *Spaniards*, and it lies too hard on our good Troops to be always upon the Guard, and perform every thing that’s to be done in the face of Danger. A Party of our Dragoons Patrolling round without the City, the Enemy fired 3 Cannon-Balls at them, by which we find their Field-pieces (or part of them) are near the *Convent* of *Gratia*, a little Eastward of it. Besides our two Mortars that throw Stones from the Castle, we have one that throws Shells from our Line of Communication, but our Artillery-Men are no Conjurers.

20th. ‘All last Night the Enemy have entertained the City with their Bombs from Sea, and their Shot from *St. Madrona*, but the chief design of the latter is to fright our Workmen on the Courtine on that side. *Montjuich* too never had so many before of the one and the other, (besides what I formerly mentioned) they play two more Guns and Mortars from a Battery raised on the Lodgement they last made, so that we are now on all sides mauled confoundedly. My Lord *Donegal*’s Behaviour there is highly approved at Court, he shewing upon all Occasions a true *English* Valour, and the Preservation of the Place is chiefly owing to his Example. Besides their two Ketches, they have a Ship that throws Bombs, whereof we compute they threw near 200 last Night into the City, and have shatter’d the Palace most pitiously.

21th. ‘The Enemy this Morning grew something more calm in their Thundering and Lightning at *Montjuich*, where last Night (among other Misfortunes of lesser moment) we had kill’d and disabled 8 or 10 Men, by 5 or 6 Barrels of Powder that blew up, whether by Accident or no I have not learnt. The truth is, our good Men are so harass’d

rafs’d

‘ rafs’d that they cannot hold up from sleeping under  
‘ their Arms, &c. At Two last Night a Half Galley  
‘ entred the Mole, bringing 50 Barrels of Powder  
‘ from *Mattheo*, by which you may conclude we are  
‘ not over well stockt with that Commodity, and the  
‘ *Spanish* Powder is most wretched Stuff. A Barque or  
‘ Felucca brought in two or three of our Officers, who  
‘ give us very comfortable Accounts of my Lord *Peter-*  
‘ *borough’s* Preparations to relieve us. They relate,  
‘ That his Lordship is come from *Va lencia* to *Mar-*  
‘ *tyrel*, with 2000 Foot, and 1000 Horse, and that be-  
‘ ing joined by the *Miquelets* and *Catalans*, he will use  
‘ his utmost Endeavours to throw Men into this City,  
‘ and harraßs the Enemy, who last Night, maul’d the  
‘ City with their Shells from Sea more than the Night  
‘ foregoing, but not a Soul slain by them that I hear  
‘ of. As for Goods and Houses, the Inhabitants  
‘ value them not a straw, so zealous are they upon this  
‘ Ocrasion. The Women and Boys carry up and give  
‘ the Soldiers at *Montjuich* Water and Victuals gratis;  
‘ and the Friars, some of them fight, and others bear  
‘ away the Slain and Wounded on their Shoulders.

21. ‘ This Evening at Seven began an unhappy  
‘ Attack, made so more by Carelessness and Rash-  
‘ ness, than any Vigour of the Enemy; it was thus:  
‘ The Enemy flung into *Montjuich* four Bombs at once,  
‘ being their Signal; upon which they advanc’d,  
‘ hollowing as they came, which being unexpected-  
‘ ly, put us into Confusion. Many of our Officers  
‘ were absent, and the few that were there had much  
‘ ado to get their Men under Arms, tho’ the Enemy  
‘ was already in our Works in two Places; at the  
‘ Westmost Point, and at the Breach of *Velasco’s* Bastion.  
‘ Our Men at the Westmost Works, fearing to be  
‘ cut off from the Castle by the Enemy at the Breach,  
‘ retired thither, and then not only beat the Enemy  
‘ off, but made them retire at the other End too;  
‘ they were much confounded at our facing about.  
‘ By this time our Officers, that were absent came,  
‘ and believing the Place to be clear of the Enemy,  
‘ we advanc’d to a Battalion drawn up in the Works  
‘ to give them new Orders, (taking them to be the  
‘ *Dutch* by their Cloathing) but found them to be  
‘ the Enemy, who took most of our Officers, and  
‘ many Soldiers Prisoners, without firing one Gun  
‘ for

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for it. Those within, and about the Castle, not knowing of this Accident, were in the greatest Confusion imaginable, wanting and calling out for Officers to give them Orders; for nothing above a Lieutenant or Ensign was to be seen, and not above three or four of them neither; in fine, had the Enemy, (who only proposed, taking what they already had) push'd as little farther, they had carried the Castle at once, with little Opposition: That Night the Enemy made a Lodgement on the Breach, but, indeed, found ready to their hands a much better one under it in the Cover'd-Way of the Bastion, capable of securing three or four thousand Men, which, no doubt, they threw into it. Next Morning, being the

22. We perceived them throwing up a Line (in order to raise a Battery) on the Bastion, and had already advanced so far, that they wrought next Morning unexpos'd to the Castle. This Morning, by an Order from the Palace, the Great Bell rung, as a Signal for all (that were not already upon Duty) to repair to *Monsjuich*, in order to dislodge the Enemy. Abundance went out under the sacred Banner of their Church, and made very fair Advances, but being under no Order (and we not having Regular Troops to make use of on that Occasion) they could not beat off the Enemy, who were too Numerous, and too securely Lodg'd to be baffled by a Rabble; yet though we made no great Slaughter by our continual firing, we kept them from working on the Bastion.

About Four in the Afternoon a Trumpet came into Town with some Message from the Enemy; and we sent out a Drum to enquire after my Lord *Donnegal*, &c.

23. This Morning our Drum return'd, and gave an Account, that his Lordship was Slain in *Monsjuich*; that he would hear of no Quarter, which the Enemy that knew him, offer'd him; that he cut to Pieces half a Dozen Grenadiers, and an Officer that had personally engaged him, and was attacking a Captain when an unhappy Bullet Shot him through the Heart, and he fell.

The Drum tells us they took above Four Hundred Prisoners, and among them Collonel *Russet* of the

' the Guards, and 20 other *English* Officers, who were put on Board their Fleet, in order to be carried to *East-France*.

' The Enemy have now hemm'd us into the Castle with its Counterscarp; and the *Spaniards*, who before used to line the Out works, have quite left them, and in a great Measure the Line of Communication too; we have but Fifty of our *English* do Duty in the Castle, which the Enemy bombard with Eight Mortars.

24. ' Last Night their Bombs from the Sea, (by a small Surge on the Shore) fell many of them short of the City, but destroyed the Store-house belonging to the Custom-house, and Sunk Two Barks. About Three in the Morning there entered the Mole several Barks under Conduct of Two or Three Half Gallies with Five Hundred *Neapolitans*, order'd by my Lord *Peterborough* from *Mataro*, whereof the Enemy being aware they had laid many of their Boats, &c. along Shore to cut them off, but after a smart Engagement for an Hour with Small Arms upon the Water, we got in above Four Hundred, and the rest, we hope, put back for *Mataro*. This Day the Enemy having rais'd a New Battery upon *Velasco's* Bastion, from thence, and another Battery together with their Bombs, they so maul'd the Castle, that by Eight in the Morning they made a Breach through the Curtain-Wall and by Five Afternoon beat down above half the Tower. The same Evening my Lord *Donegal* was interr'd in a very decent Manner in the *Levant* Bastion.

25. ' *Montjuich* still withstands the Efforts of the Enemy, tho' the small Garrison lyes expos'd to all the Bombs, without any shelter from them, which might easily have been made in one Night (having Timber for the Purpose,) had there been due Care taken. The Enemy last Night threw in no Shells from the Sea; which makes us suppose they have no more left. About Six in the Evening having carry'd all that we could from *Montjuich*, all that was left combustible was set on Fire, and the Garrison retired to the Town, being little molested by the Enemy. We burnt all the Stakes upon the Line of Communication without Musket-shot of the

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the City Walls, by the Advice of a Council of War of some profound Heads, &c. but contrary to the Opinion of the Ingencer, who proposed clearing that Night the inconsiderable Breach, and to keep it out some Days longer; and a Spanish Captain offer'd to maintain it.

26. The Enemy last Night threw in no Bombs from the Sea, and next Morning we found they had broke Ground in several Places, chiefly betwixt *Santa Madrona*, and the Road from *Santa Antonia*. At Night they renewed their Bombs from the Sea, &c.

26. We go on to make the Curtain Wall facing *Montjuich* as defensible as may be, and have made a deeper Ditch within the old one before the *Glacis*. On the other Hand, the Enemy have brought down their Cannon they had against *Montjuich*, to the side of the Hill, to beat off our Workmen from their Labour, and are carrying on their Trenches, for their lower Batteries, with all Expedition.

28. This Day the Enemy have mounted about 18 Guns to gaul our Work-men, besides Three or Four Mortars, and are come within Pistol-shot of the Spur of Port *Antonio* with one of their Trenches; and tho' we have had smart Rains these two Nights past, it has not hindred their Work. In the Afternoon they dismounted one of our Guns with a Random-shot from their High Battery. This Evening a Trumpeter was sent in from the Enemy.

29. This Morning the Enemy run a Line as far as our lesser Breach, Parrallel with our Curtain, and almost within a Stone's Throw of it; so that by their Works we may guess their Design is upon that Breach, and the Spur at Port *Antonio*. Their Guns that Yesterday played upon us from their Battery near the Line of Communication, they have this Morning partly removed to another Battery on that part of the Hill nearest the Town, and to which our Rampart and Ditch lyes most open, so that by playing their Guns there now, we have scarce one Gun or Musket that fires from our Walls to molest the Enemy that work just under our Noses. We have wall'd up the Gate that leads out to *Montjuich*, so the Enemy are secure; we shall not fall out upon them that Way. They have Two or three



three Mortars in the small Battery we had on the Line of Communication, which play chiefly at the Spur of Port Antonio. This Morning a Deserter affirms, the Enemy have not good Troops enough to make an Attack upon the Town when they have made the Breaches.

30. Last Night the Enemy ply'd us very warmly with Bombs from the Foot of *Montjuich*, and this Morning before Day Two Half Gallies got safe into us with the Prince of *Hesse*, and 60 Soldiers, cutting through the Line of Boats, that each Night lye before the Harbour; but the *Feluca* that came with 'em was obliged to put back again. This Morning the Enemy had brought their Line (that is so near to, and parallel with our Curtain-Wall) as far as the large Breach, so we perceive they design to make Three Breaches, and by their other Works we conclude they'll have Five Batteries. They play Four Guns already upon one of them against the Spur at Port Antonio; and their Guns on the Point of the Hill molest our Rampart very much. Last Night our Soldiers begun to throw up the Line of Defence that we design within, against the Breaches. We disturb the Enemy as much as we can with our Guns that are mounted, and One or Two we play at the Mole Head, which gaul the Enemy that lye Intrench'd upon the East side of *Montjuich*. The Bastion at the *Tercenna* too, disturbs them not a little, both there and in their Batteries. We have a Confirmation of my Lord *Peterborough's* being on the Neighbouring Mountains. May 1. The Enemy have carried the abovemention'd Line, along our late Line of Communication, by which it appears they designed no other than a Line of that Nature betwixt their Forces on *Montjuich* and their other; as also that from that Line they might gaul our small Arms on our Curtain; This Day they open'd two other Batteries, both playing upon our Curtain, where our smaller imperfect Breach was.

2. We find their three Batteries, to contain about 28 Guns, two being of 11 and 12 Guns that view the Breach, and One of Five that plays against the Spur, besides their other Guns upon the Side of *Montjuich*, that play Part upon our Rampart and Inner Works,

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Works; and Part upon the Mole and Rampart facing the Mole. Their Bombs too by Land make the Spur a very warm Station, but do no damage in the Gardens within the Curtain, the Ground being soft; these Three or Four Days they have thrown no Shells from their Ketches. This Night my Lord *Peterborough* sent the Court News of our Fleet's being near *Astier* Bay.

May 3. This Day the Enemy have ply'd their Batteries very warmly, as well as Yesterday, and have made a small Breach, but of no Importance, which these Two Nights we have taken Care to clear by our Soldiers. In the Night too we kept firing from the Spur upon the Enemy, who, we guess'd, were making an Approach in order to undermine that Work, which next Morning we found true; for on the Fourth we perceiv'd that our firing had oblig'd them to turn off their Trench, by which they design'd to have got under our Cover'd way and Ditch into a Vault adjoining to the Spur, which run under Ground a great Way: This Design of theirs we are endeavouring to countermine. This Day they opened another Battery upon the nearest Line, and just facing the Angle betwixt the Two late Breaches; but this Battery is so low and near, that it will not have so great Effect as their other. We are preparing the Inner Works in such Manner, that if we have time to finish them, we shall be able to give the Enemy a vigorous Reception. We are drawing off our Guns from the Rampart facing the Enemy's Batteries; and because the News of our Fleet's being very near may occasion the Enemies attempting something desperate, we have order'd all our Foot to be at the Breach this Night, and the Dragoons to repair thither upon first Notice. They have ply'd their Battering Pieces very smartly all Day, but 'twill take another before they can make a Breach worth Notice. This Day the Enemies Bomb-Ketches, and other Ships to the Eastward of the Mole, weighed, and went into their Fleet; upon which 30, or more of our small Craft, went out and got safe along Shore to the Eastward.

4. This Day the Enemy kept Firing at the Breach, but made no great Execution, by Reason the

' the Glacis being pretty good, it hinders their Shot  
' that are low placed from taking any other Effect,  
' than coming over the Wall, and striking among  
' the Houses. Their Guns upon the Hill that  
' flank us gaul us much, but their Bombs do lit-  
' tle Mischief. Our small Craft that went out to  
' the Eastward returned with Fascines, &c. safe into  
' Harbour. We take Care in the Night to clear the  
' Breach, but we go on very slowly with our Inner  
' Works of Defence.

5. ' The Enemy have opened another Battery,  
' which flanks the Spur at *St. Antonio*, and gauls us  
' much by Reason the Shot from thence that flies o-  
' ver the Spur, rakes our Curtain N. E. of *St. An-*  
' *tonio*. They ply their Batteries as usual, but the  
' Breach is not yet attackable: Their small Cruisers  
' are returned again to their Station to the East of  
' the Port, and Two larger ones lie before: All their  
' Ships are unmoor'd, and ride a Peek, having got  
' News of our Fleet. It's said they have taken a-  
' board again some of their Cannon.

6. ' Last Night we neglected very much our Inner  
' Works; and the *Spanish* Soldiers, who were to clear  
' the Breach did it but very sorrowly. The Enemy  
' had this Night the Guard of Boats, as formerly,  
' which came within Pistol-shot of the Shoar. Fir-  
' ing One Gun at them from the Mole, it flew in  
' pieces, ( being a long time loaden ) and killed  
' Four, and wounded about Ten more. The same  
' Night hapned a singular Deliverance; all our *En-*  
' *glish* Officers ( except only Three ) sitting in a  
' Circle together, upon Guard, a Bomb fell in a-  
' mongst 'em upon a large Dog, ( that lay sleeping  
' there ) whose Blood choak'd the Fusée and conse-  
' quently saved them all. This Day the Enemy  
' continued their usual firing. Their Two Bomb-  
' Ketches are sail'd away to the Eastward. There  
' being some smart firing this Day at Noon about the  
' Enemy's Camp near the *Convento of Gracia*, our  
' Dragoons were order'd out, who sally'd up almost to  
' the Enemy's Tents, and made double the Num-  
' bers of the Enemy's Horse to give Way; but they  
' firing their Field-pieces on us, obliged us to with-  
' draw, with the Loss of several Men killed and

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disabled; but not without having cut off as many of the Enemy, and taking some Prisoners.

7. Last Night they ply'd us with their Bombs as usual, notwithstanding which; we not only clear'd the Breach without, but strengthen it within, by which we have rather gain'd upon the Enemy than they on us. We perceiving that they had a Design of lodging upon the Counterscarp at Fort Antonio, made a Salley with 21 Men and an Officer, who beat 2 or 300 from their Works, undid a Bomb-Battery they were raising, and took some Prisoners, without the Hurt of One Man. Our Inner Works went pretty forward last Night. This Morning we perceived the Enemy to have advanced towards the Counterscarp at the Breach, in order to mine or sap there: We interrupted 'em as well as we could with our Small Shot. At 11 a Clock all their Powder in One of their largest Batteries took Fire, blew up many of their Men, and laid open many of the Ambraſures, of that Battery; which Accident we back'd with our small and great Shot, to hinder their carrying off their Men or Guns. Last Night Three of our small Barks were taken by the Enemy's Guard-Boats. The Enemy have made a Lodgment as forward as the Glacis facing the Spur. This Afternoon the Enemy's Fleet loos'd their Fore-top-sails in the Top, and several of them weigh'd and stood off to Sea, by which we conclude our Fleet not far from hence. The Enemy have no less than 21 Mortars to gaul us with their Shells; and their Guns that flank us within are no less troublesome. This Afternoon our Dragoons made another Salley.

8. The French Fleet departed (or rather fled) last Night to the Eastward; but all the Barks got not away till this Morning, 2 or 3 whereof we took laden. About 2 this Afternoon all our Fleet (being 50 Ships of the Line) came to Anchor before the Town, and immediately landed their Forces; some Regiments march'd directly to the Breach, concluding the Enemy would make one desperate Push before all our Forces were got ashore; and they fired their Mortars and Cannon as warmly as ever

ever to put a good Countenance upon their Scurvey Condition.

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Thus far our Journalist: Let's now attend the Motions of the Confederate Fleet, under the Command of the valiant and fortunate Sir John Leake, who as he had formerly the greatest Share of Honour in the Raising the Siege of Gibraltar, so had John now no less Success and Glory in the Deliverance of Barcelona. He had, the Year before, been left at Lisbon with about 25 English Men of War and Frigats, and 15 Dutch Ships, under the Command of Rear-Admiral Wassenauer; and having, towards the middle of February, got Intelligence that the Spanish Galleons were preparing to sail out of the Harbour of Cadix for the West-Indies, he, and the Dutch Admiral, with great Diligence, fitted out Ten English and six Dutch Men of War. On the 9th of March N. S. They sail'd down the River of Lisbon, in order either to take, or destroy the Spanish Flota; But, to their great Surprize, when they came near the Bar, of that River, San Julian Castle, and some other Forts, fired several Shots at them. Sir John Leake having sent a Lieutenant to know the Reason, the commanding Officer answer'd, That he had received Directions from the Duke of Cadaval to stop all Ships: Whereupon the Admiral came to an Anchor, and complain'd to the English Ambassador. The latter having expostulated with the Government about this strange way of Proceeding, the Embargo, was immediately taken off, tho' too late: For the loss of Twenty four Hours, during which Sir John Leake had been detained, proved to be the Disappointment of his Design; the Galleons and Flota, to the Number of Thirty six Ships, having sail'd from Cadix the Eleventh of that Month. Upon the Receipt of this Information, which Sir John had from the Master of an Ostender taken by a Dutch Privateer, he made all the Sail he could after the Flota, and the next Day discover'd two strange Ships, one of which of Twenty four Guns, the Northumberland took, and the other the Dutch Admiral. The Masters of these Prizes confirm'd the Report of the Ostender, adding, 'That they had certain Intelli-

The Motions of the Fleet under Sir John

He is stop in the River of Lisbon.

He missis of the Spanish Galleons.

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gence at Cadix of Sir John Leake's Design, and had prepared against it accordingly, both ashore and at Sea with their Gallies. It was shrewdly suspected, That this Intelligence was brought thither, by means of Two Danish Ships, who were permitted to sail from Lisbon, after the Embargo was laid on the Shipping in that River: Which strangely increased the Suspicion of foul Play in Portugal.

Sir John Leake finding that the Gallies were got so far before him, that 'twould be hardly possible to overtake them, and having a greater Design in View, viz. the carrying Succours to Barcelona, endeavour'd to enter the Streights, but was detain'd, by contrary Winds, in the Ocean till the tenth of April N. S. When he got to Gibraltar; and was there join'd, the Fourteenth, by Commodore Price, with six English Men of War, having on Board Major General Stanhope, Her Majesty's Envoy Extraordinary to King Charles III. Colonel Richards, two English Regiments and several Companies of Spanish Deserters, who had been taken in at Lisbon: And with Commodore Price arriv'd also at Gibraltar, six other Dutch Men of War. Two days \* after, Sir John Leake receiv'd Dispatches from the Earl of Peterborough, with the following Letter from King Charles III.

April 16.  
N. S.

The KING.

Admiral Leake,

King  
Charles's  
Letter to  
Admiral  
Leake.

I Take this occasion to acquaint you with the great hazard, to which this Principality and my Royal Person are exposed, for doubtless to morrow we shall be streightned by the Enemy, being already blocked up by a Squadron by Sea, and their Army having by their speedy Marches gained some Passes, almost in sight of this Capital City, in which we might have retarded their Progress. I am resolv'd not to leave this place, altho my Garrison consists of so small a Number as One Thousand Foot and Four Hundred Horse, Regular Troops, apprehending that if in this juncture, I should leave this

‘ this Capital City, it would be lost, and consequently all the rest, which in the last Campaign was by so many happy Successes reduced to my obedience; for which reasons I have thought fit to venture all, and undergo the Fatigues that attend a certain Siege; justly confiding in your known Zeal, and great Vigilance for the Common Cause, and nor doubting but that you have contributed all that has been possible to hasten the Succours, which I hope will, in a few days, appear before this place, where your known Valour and Diligence may meet a glorious Success, and thereby entitle your self anew to my Royal Favour

*Dated in Barcellona*

*the 31st of March,*

1706.

*I the King.*

By Command of the King our Lord.

*Henry de Gunter.*

Hereupon Sir *John Leake*, with the same Extraordinary Care and Diligence with which he had fitted out the Ships that sailed with him from *Lisbon* apply'd himself to carry the necessary Succours to *Barcelona*. And for the greater Expedition, it was unanimously resolv'd, in a Council of War, to divide the Land-Forces on board the Men of War of the Two Nations. Sir *John Leake* sailed from *Gibraltar* the Twenty fourth of April, N. S. and sent away Four Frigats, with Orders to make for *Altea* or *Denia*, to get Intelligence of what Strength the Enemy's Squadron was. The Twenty ninth, he got to *Altea*, and having Notice that a Squadron was Sailed from *Lisbon* to join him, it was resolv'd in a Council of War, to send to *Veneros* to get farther Intelligence of the Enemy, and to stay at *Altea* 24 Hours for the Squadron which was coming to joyn him; but if it did not arrive within the Time, to proceed to *Barcelona*. A Frigate was sent, at the same time, to the West-ward, to get Intelligence of that Squadron, which met with 3 Men of War, sent before by Sir *George Byng*, with Notice that he was making what Sail he could after the Fleet; and accordingly he came up with Sir *John Leake* the 30th, about 10 in the Morning. The 3d of May Commodore *Walker* with his Squadron, and divers

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A. C. Transport Ships joined him likewise. The whole  
1706. Fleet being now together (consisting of 39 \*1\* English  
and 13 Dutch, Ships of the Line of Battle, besides

\*1\* English Ships with Admiral Leake.

French Fleet under the Command of  
Count de Toulouse.

|                                                                | Rates | Men | Guns. |                                                     | Men | Guns. |
|----------------------------------------------------------------|-------|-----|-------|-----------------------------------------------------|-----|-------|
| Prince George,                                                 | 2     | 640 | 90    | Le Henry,                                           | 400 | 66    |
| Ranelagh,                                                      | 2     | 476 | 80    | Le Furieux,                                         | 350 | 56    |
| Bedford,                                                       | 3     | 445 | 70    | Le Toulouse,                                        | 350 | 62    |
| Hampton Court,                                                 | 3     | 446 | 70    | L'Invincible,                                       | 400 | 66    |
| Berwick,                                                       | 3     | 445 | 70    | Le Neprune,                                         | 600 | 72    |
| Grafton,                                                       | 3     | 445 | 70    | Le Vainqueur,                                       | 600 | 88    |
| Rupert,                                                        | 3     | 365 | 64    | Le Serein,                                          | 380 | 70    |
| Burford,                                                       | 3     | 445 | 70    | Le Sage,                                            | 330 | 54    |
| Edgar,                                                         | 3     | 446 | 70    | L'Eclatant,                                         | 430 | 65    |
| Pembroke,                                                      | 4     | 316 | 60    | Le Trident,                                         | 350 | 70    |
| Leopard,                                                       | 4     | 280 | 54    | Le Content,                                         | 383 | 60    |
| Panther,                                                       | 4     | 280 | 54    | Le Heureux,                                         | 450 | 70    |
| Tyger,                                                         | 4     | 233 | 48    | Le Parfait, Comte de }<br>Toulouse, Admiral }       | 600 | 76    |
| Newcastle,                                                     | 4     | 274 | 54    | Le St. Louis,                                       | 380 | 64    |
| Antelope,                                                      | 4     | 280 | 54    | Le Fendant,                                         | 350 | 52    |
| F R I G A T S.                                                 |       |     |       | L'Entreprenant,                                     | 350 | 62    |
| Mary Gally,                                                    | 5     | 135 | 52    | L'Ecuil,                                            | 380 | 68    |
| Fowey,                                                         | 5     |     |       | Le Sceptre,                                         | 650 | 88    |
| Roebuck,                                                       | 5     | 150 | 42    | Le St. Esprit,                                      | 400 | 70    |
| Falcon,                                                        | 5     | 145 | 32    | Le Mercure,                                         | 330 | 54    |
| Garland,                                                       | 5     | 150 | 42    | Le Vermandois,                                      | 350 | 64    |
| Newport,                                                       | 6     | 110 | 24    | Le Bizarre,                                         | 380 | 68    |
| Captain Price's Squadron.                                      |       |     |       | Le Triomphant,                                      |     | 92    |
| Somerfet,                                                      | 3     | 476 | 80    | L'Admirable,                                        |     | 52    |
| Royal Oak,                                                     | 3     | 456 | 74    | Le Phenix,                                          |     | 80    |
| Resolution,                                                    | 3     | 440 | 70    | Le Victorieux,                                      |     | 88    |
| Ipſwich,                                                       | 3     | 416 | 70    | Le Coupable,                                        |     | 60    |
| Litchfield,                                                    | 4     | 226 | 48    | La Piste,                                           |     | 60    |
| Hampshire,                                                     | 4     | 226 | 48    | Le Prince,                                          |     | 60    |
| Parted from Ireland, under the Com-<br>mand of Captain Walker. |       |     |       | L'Ambitieux,                                        |     | 60    |
| Le Ferme,                                                      | 3     | 446 | 70    | Gone to Toulon in the late Storm<br>much shattered. |     |       |
| Exeter,                                                        | 4     | 346 | 60    | Le Fleuron,                                         | 350 | 58    |
| Cumberland,                                                    | 3     | 476 | 80    | L'Intrepide,                                        | 600 | 84    |
| Newark,                                                        | 3     | 476 | 80    | Le Ruby,                                            | 330 | 54    |
| Dorsetshire,                                                   | 3     | 476 | 80    | Le Diamant,                                         | 350 | 60    |
| Sir George Bing's Squadron.                                    |       |     |       | F I R E - S H I P S.                                |     |       |
| Royal Ann,                                                     | 1     | 780 | 100   | Le Fulminant,                                       |     |       |
| Devon,                                                         | 3     | 500 | 80    | L'Espion,                                           |     |       |
| Essex,                                                         | 3     | 445 | 70    | L'Eclair,                                           |     |       |
| Mary,                                                          | 4     | 365 | 64    | Le Violent,                                         |     |       |
| Winchester,                                                    | 4     | 226 | 48    | Le Lion,                                            |     |       |
| Medway,                                                        | 4     | 316 | 60    | L'Eclatant, Bomb-Vessel.                            |     |       |
| Cambridge,                                                     | 3     | 500 | 80    | F R I G A T S.                                      |     |       |
| Sterling-Castle,                                               | 3     | 440 | 70    | La Silvie,                                          |     |       |
| Monk,                                                          | 4     | 365 | 64    | La Parfaite,                                        |     |       |
| Shrewsbury,                                                    | 3     | 476 | 80    | La Princessie,                                      |     |       |
| St. George,                                                    | 2     | 688 | 96    | La Galatee,                                         |     |       |
| Revenge,                                                       | 3     | 446 | 70    | Upton Gally,                                        |     |       |
| Dover,                                                         | 4     | 226 | 48    |                                                     |     |       |
| Canterbury,                                                    |       | 346 | 60    |                                                     |     |       |
| 13 Dutch Ships of 60 Guns each, un-<br>der Admiral Wassenaar.  |       |     |       |                                                     |     |       |



6 Frigats, and the Transports,) Sir John Leake endeavoured to proceed towards Barcelona, but was kept back 3 Days by contrary Winds or Calms. The 7th, the Earl of Peterborough came off from Tarragona with divers Barks, on board which were 1400 Land Forces. His Excellency went on Board the Prince George, and hoisted the Union Flag on the Main-top, taking upon him the Command of the Fleet as Admiral. Letters came that Day from King Charles dated the 4th, with very pressing Instances for Relief. Within 2 Hours after the Receipt of His Majesty's Letters, arose a very fair and fresh Gale, and brought the Fleet with all the Forces and Recruits from England and Ireland, to an Anchor before Barcelona the 8th in the Afternoon, to the inexpressible Joy of the Inhabitants. The King of Spain sent an Aid de Camp to desire the Admirals to send him a Reinforcement, expecting the Enemy would have made an Assault; and accordingly most of the Land-Forces and Marines were put on Shore. The Admirals went also on Shore the same Evening, and attended the King of Spain, who receiv'd them most Graciously, and expressed his great Satisfaction with the Arrival of so seasonable a Relief, and his gratitude for the Generosity and tender Care wherewith the Queen of Great-Britain, and the States General had so effectually supported and assisted him.

Barcelona  
na reliev'd  
May 8.  
N. S.

Immediately upon the Landing † of the Troops,

Barcelona, May 12. N. S. I have only Time to send you these numerical Accounts.

|                                                                                           |           |
|-------------------------------------------------------------------------------------------|-----------|
| The French had at the Beginning of the Siege                                              | 22000 Men |
| They lost in the Siege                                                                    | 6000 Men  |
| Left in the Trenches                                                                      | 2000 Men  |
| We Landed here on Saturday, the next Day we mounted at the Breach                         |           |
| 4 Regiments, viz. Sir Charles Hara's, Lord Mohun's, Colonel Dun-<br>ganon's and Briton's. |           |
| We found in the City of Regular Forces                                                    | 1000 Men  |
| Five Regiments we Landed, being about                                                     | 4000      |
| Recruits from Ireland                                                                     | 900       |
| Guards from England                                                                       | 300       |
| Succours brought by my Lord Peterborough                                                  | 1500      |

Besides Inhabitants, Catalans, &c.

7700

A. C. the Earl of *Petterborough* order'd some of them to march  
1706. to the Breach, and *Coupures* to be made to baffle any

Attempt that might be made by the Enemy, who notwithstanding these powerful Succours seem'd resolv'd to carry on the Siege, and fired against the Town as usual. They continued the Attack the Ninth and Tenth, altho' they were much disturb'd both by the Besieged, and the Miquelets without; but on the Eleventh of *May* their Fire abated considerably; and even, for some Hours, they did not make one Shot, altho' the Besieged did not cease Firing upon them. In the Afternoon, the Besieged observed a great Noise in the Enemy's Camp, from *Montjuich* to the Convent of *Gracia*, where they were already assembled, leaving the Passage to the Sea entirely free; And that they advanc'd to possess themselves again of a Rising Ground on the other side of *Gracia*, which they had before abandon'd; and where they were reinforc'd by a great Body of Troops, which the Besieged judg'd to be their Vanguard, when about 5-a-Clock, they perceiv'd their Baggage moving towards the East. In the mean time, great Numbers of Peasants and Miquelets came down the Mountain, and several Volunteers went out of the Town to dislodge the Enemy from their Post, which occasioned great Skirmishing till ten at Night, when the *French* fired Two Guns from the Battery on the Hill of the *Jews*. This was the last shooting they made against the Town, and the signal of their general Retreat, upon which they set fire to all their Fascines and Gabions, and some Houses in their Camp, where they had put their Stores of Provisions.

The French  
raise the  
Siege, May  
11.

Upon these certain Signs of the Enemies withdrawing, which were confirm'd by the unanimous Information of many Deserters, the Young Prince of *Hesse d'Armstad*, who commanded at the Breach, sent out a Party to view the Attack; and this Party making their Report, That not one Man was left in the Enemies Camp, some Men were immediately sent to view Fort *Montjuich*, and endeavour to discover the Mines, which the same Deserters assur'd the Enemy had made, in order to blow up that Fortress. This Care and Diligence was very seasonable; for the Men sent upon this Service, found the

the Matches, that were to have set Fire to the Mines, almost consumed : But yet they mis'd of Discovering a Mine, which, on the 12th about Two in the Morning, blew up Part of the Fort. Some Peasants of the Neighbourhood observing the Enemy's Retreat, came down to their Camp, and saved part of the Provisions which the *French* endeavour'd to destroy, by setting the Magazines on Fire; and at the same time several Miquelets and Soldiers Sallied out of the Angel Gate, and going directly to the Quarters of *Sans*, where the Enemy had a great Quantity of Powder, arrived soon enough to put out the Matches. At Break of Day, the Miquelets and Peasants, supported by some Horse sent out of the Town, began to harraß the Enemies Rear, with which they continued Skirmishing till 9 in the Morning, when a total Eclipse of the Sun put a stop to the Conflict. This Accident, tho' the Result of Natural Causes, yet happening at the same Instant, when the *French*, (whose Monarch has assumed the Sun for the Body of his Device) were losing sight of *Barcelona*, did not a little encrease their Consternation, and added fresh Courage to the *Catalans*; who as soon as the Obscurity was over, fell on the Enemy with redoubled Alacrity and Vigour; took from them two Field-Pieces and some Waggon, and continued Insulting their Rear. Whilst the Miquelets were thus busy, those of the Town went out to the Enemies' abandon'd Camp, where they found 106 Pieces of Brass Cannon, being 40, 30, and 24 Pounders; 27 Mortars; 5000 Barrils of Gun-powder; 500 Barrils of Musket-shot, with great Quantities of Lead; 2000 Bombs; 10000 Great Royal Grenadoes; 40000 Canon-Balls; 8000 Spades and Shovels; 13000 Sacks of Meal; vast Quantities of Rye, Oats and Wheat; 10000 Pairs of Shoes; several Iron-Mills; and other Warlike Utensils; besides above 1500 Sick and Wounded Men, whom the *Mareschal de Theßé* recommended to the Earl of *Peterborough's* Generosity by the following Letter.

A Total Eclipse of the Sun May 12.

Artillery Ammunition and Provisions left by the French before Barcelona.

138

A. C.

1706.

## The ANNALS of

At the Camp before Barcelona, May 12. N. S.

Marschal  
Theſſe's  
Letter to  
the Earl of  
Peterbo-  
rough.

My LORD,

Y<sup>O</sup>U serve me now, as I did, the last Year, the Earl of Galway, at the Siege of Badajox: Tho' with Circumstances more Glorious to You, and more Mortifying to my Self. You are sensible of the unhappy Necessity I am reduc'd to, of Raising this Siege, by the Arrival of your Fleet, and the Retreat of ours. The present State of Affairs hinders Me from carrying away a great many Wounded; but Humanity, and Your Generosity, gives me Hopes, that You will be pleas'd to order, that Care be taken of them. I beseech You, My Lord, to be so kind as to send a Guard to them, that they may receive no ill Usage, either from the People or the Miquelets. I take the Liberty to send you by this Trumpeter, what I beg of your Lordship to order to be deliver'd to those who take Care of the Hospital, that the Sick may be look'd after; and afterwards more (Money) shall be sent to them. The Fate of War makes Your Glory, and at present, my Misfortune.

P. S. My Lord, I leave a Commissary and Chirurgion to look after the People I leave behind, and I desire you once more, that they may be taken Care of.

I am beyond all Expressions,

My LORD,

Your most Humble, and  
most Obedient Servant,

The Marschal de Theſſe.

Besides the Letters to the Duke of Marlborough before mention'd, the King of Spain wrote the following to the States General.

Most Dear and Great Friends,

King

Charles's  
Letter to  
the States  
General.

WE hope you have receiv'd our Letter of the first past, whereby we acquainted you with the March of the Enemies, to besiege this our City of Barcelona, and the Resolution we had taken to continue therein during the Siege, to animate by our Presence the Garrison and Inhabitants, to defend the same till the last Extremity. There were many strong Reasons, which should have persuaded us not to expose our Person to the dangerous Accidents and uncertain Success of a Siege, but rather to secure our selves by withdrawing our selves from that Place; but

we could not overcome our selves upon such an Occasion, wherein we hop'd that our continuing in the Town might be of some use for the Common Cause. Your Troops, and those of the Queen of Great-Britain, have shew'd the same Valour and Firmness for the Defence of Montjuich and the City, which they expressed last Year for the Conquest thereof. Fort Montjuich, which your Troops and those of the Queen took in three Hours time, has held out against the Enemy 22 Days after the opening the Trenches; but the Enemies having afterwards lodg'd themselves on the Point of the Counterscarp, and made a sufficient Breach to be mounted, we had reason to fear, that the Garrison being extremely fatigu'd and diminish'd, this Place would at last have been forced to yield to the vigorous Attack of the Enemies. The Arrival of the Fleet, and the Land Forces, which came at the same time, has remov'd that just Apprehension. That fortunate Accident has fill'd us with Joy, and struck the Enemy with the utmost Consternation, who are now obliged to think of making their Retreat, when they actually thought themselves Masters of Barcelona. We doubt not but you will receive this great News with Sentiments of Joy and Comfort equal to ours; and while we assure you of the perfect Gratitude we have for your Assistance, we shall endeavour our utmost to improve this favourable Opportunity for promoting our Interests, and those of the Common Cause. Whereupon we pray God to keep you, most dear and great Friends, in his Holy Protection. Barcelona, May 10. 1706.

Your very good Friend,  
CHARLES  
Henry de Gunter.

The News of the memorable Victory in Brabant, was first \* brought to England by Colonel Richards, \* May 16.  
Aid-de-Camp to the Duke of Marlborough, whose Account was, five Days † after, confirm'd by Capt. † May 21.  
Pitt, another of his Grace's Aids-de-Camp, with a further Relation of the Glorious Progresses of Her Majesty's Arms, and those of Her Allies. Her Majesty received at the same time, several concurring Informations of the Raising of the Siege of Barcelona, which were a few Days \* after confirm'd by Capt. \* May 30.  
Delaval, whom the Earl of Peterborough and Sir John Leake sent Express in Her Majesty's Ship the *Ranelagh*. On the Day Captain Pitt arrived at Kensington,

A. C. ton, the Queen in Council, ordered the following  
1706. Proclamation for a Publick Thanksgiving to be printed.



## ANNE R.

Procla-  
mation  
for a Pub-  
lick  
Thanks-  
giving.

*WE do most Devoutly and Thankfully Acknowledge the great Goodness and Mercy of Almighty God, who has continued to Us his Protection and Assistance in the Just War in which We are now Engaged, for the Common Safety of Our Realms, and for Disappointing the Boundless Ambition of France; and hath given to Our Arms, in Conjunction with those of Our Allies, under the Command of John Duke of Marlborough, Captain-General of Our Land Forces, a Signal and Glorious Victory in Brabant, over the French Army, and hath restored the greatest Part of the Spanish Netherlands to the Possession of the House of Austria, in the Person of King Charles the Third, by the Happy and Wonderful Progress of the Confederate Forces: And has also Blessed the Arms of Us, and those of Our Allies, with great Successes in Catalonia, and other Parts of Spain. And therefore duly considering, that such Great and Publick Blessings do call for Publick and Solemn Acknowledgments, We have thought fit, by the Advice of our Privy Council, to issue out this our Royal Proclamation, hereby Appointing and Commanding, That a General Thanksgiving to Almighty God, for these His Mercies, be Observed throughout Our Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, upon Thursday the Twenty seventh Day of June next. And for the better and more Religious and Orderly Solemnizing the same, We have given Directions to the Archbishops and Bishops of this Our Kingdom to Compose a Form of Prayer suitable to this Occasion, to be used in all Churches and Chapels, and other Places of Publick Worship, and to take Care for the timely Dispersing thereof through their respective Dioceses. And we strictly Charge and Command, That the said Publick Day of Thanksgiving be religiously Observed by all Our Loving Subjects, as they tender the Favour of Almighty God, and upon Pain of Suffering such Punishments as We may Justly Inflict on all such as Contemn or Neglect the Performance of so Religious and Necessary a Duty.*

Given at Our Court at Kensington, the Twenty first Day of May, 1706. In the Fifth Year of Our Reign.

GOD Save the QUEEN.

At

At the same time, the following Order was made in Council.

A. C.  
1706.

*Whereas it has pleased God to bless Her Majesty's Arms, and those of Her Allies, under the Command of the Duke of Marlborough, with a Signal and Glorious open the Victory over the French in Brabant, and by the Happy Trade with and Wonderful Progress of the Confederate Forces, to re-store great Part of the Spanish Netherlands to the Possession of the House of Austria, in the Person of King Charles III. It is this Day ordered by Her Majesty in Council, That Notice be given to all Her Loving Subjects, that they may lawfully trade to and with all such Places in the said Spanish Netherlands as acknowledge King Charles III. And in like manner free Liberty and Inter-course is given to the Subjects of King Charles III. to Trade from the said Places and Countries with Her Majesty's Subjects, according to the Tenor of the Act of Parliament made in the Third and Fourth Years of Her Majesty's Reign, Entituled, An Act for Prohibiting all Trade and Commerce with France. And Her Majesty's further Pleasure is, That this Order be forthwith printed and published in the Gazette:*

Edward Southwell.

The same \* Day, Monsieur Vrybergue, Envoy \* May 21. Extraordinary from the States General, had, severally, private Audiences of the Queen and Prince, to congratulate with them, in the Name of their High Mightinesses, upon the Signal Victory obtain'd by the Arms of Her Majesty, and Her Allies, in Brabant. The same Day also, the Parliament met at Westminster, and was further prorogued to the 17th of September next ensuing. Two Days after, Her Majesty, and Her Royal Consort, went to Windsor, where, during the rest of the Summer, Her Majesty was attended by Congratulatory Addresses from both the Universities, and all the Corporations in Her Majesty's Dominions. Among the rest, the Loyal City of London, as on all other, so on this Occasion, was most forward to express their Zeal and Affection to Her Majesty's Auspicious Government; by the following Address:

To

A. C.

1705.

To the Queen's most Excellent Majesty.

*The Humble Address and Congratulation of the Lord Mayor, Aldermen, and Commons of Your City of London, in Common Council Assembled.*

presented  
May 26:

*May it please your Majesty,*

**W**E Your Majesty's most Loyal and Obedient Subjects, take great Delight in the Contemplation of our own Fidelity, in being the happy Subjects of a gracious Queen, inflam'd with a pious Zeal of doing Good; and therefore blest'd with Power to effect it, and convince the World, that Heaven has ordain'd Your Majesty to be a Glorious Example to all Princes, how to apply their Power to its proper End, in promoting Unity, Piety, and Peace at Home, and resisting Boundless Ambition, Usurpation, and Tyranny Abroad.

And (as such) with Hearts fill'd with Gratitude and Joy beyond Expression, We humbly Congratulate Your Sacred Majesty on the Amazing and late Glorious Victory over the French Army, by the Signal Blessing of Almighty God, upon the potent Arms of Your Majesty, and Your Allies, under the prudent Conduct of his Grace the Duke of MARLBOROUGH, Your most undaunted and renown'd General: As also, for the Wonderful Successes of Your Majesty's Forces, and those of Your Allies under the Auspicious Conduct of Your great Generals, the Earls of PETERBOROUGH and GALWAY in Spain.

And that You may yet be a further Blessing to us, and to the World, we do sincerely pray for Your Majesty's long Life and happy Reign.

Her Majesty was pleas'd to receive the same very graciously, and to admit them to the Honour of kissing her Hand.

On the 3d of June, Sir Thomas Rawlinson, Kt. Lord Mayor, and several of Her Majesty's Commissioners of Lieutenancy, attended Her Majesty at Windsor, with the following Address.

To



To the Queen's most Excellent Majesty.

*The Humble Address of the Lord Mayor, and the rest of Your Majesty's Commissioners of Lieutenancy, for the Lieutenancy of your City of London.*

*Address of  
Lieutenancy of  
London.*

M A D A M,

WE humbly beg Leave, with the greatest Joy  
and Satisfaction of Mind, to congratulate  
your Sacred Majesty, That it hath pleased Almighty  
God, to reward your Majesty's most Exemplary  
Piety and Goodness, with such Amazing and Wonderful  
Successes and Victory, in all those Countries  
and Kingdoms, where ever your Majesty's Armies  
have been led.

Conquest, like That, lately obtain'd by the Arms  
of your Majesty, and your Allies, under the Command  
of his Grace the Duke of *Marlborough*, your  
Majesty's most successful Captain General, few  
past Ages have equal'd, and Futurity will be proud  
to imitate; who in one decisive Battle, has dissipated  
a superior Force, restor'd a Rightful Monarch  
to his large Possessions, and compell'd those  
Troops (by your Insulting Enemy most vainly  
stiled Invincible) to beg their Lives of your  
Conquering Soldiers.

We cannot but esteem our selves the Happiest of  
People, while Foreign States and Cities are begging  
your Protection, That we comfortably enjoy  
the Blessings of your Majesty's most Gentle Government  
at Home, so justly admired by all.

Should Your Majesty's Peace (which God forbid)  
be at any time disturbed by Domestick Enemies:  
We most solemnly Assure Your Majesty, That to the  
utmost of Our Power, We will distinguish our Selves,  
in Executing the great Trust reposed in Us, for the  
Preservation of your Sacred Person and Government,  
which We humbly beseech the Divine Providence  
to continue long to Us, and Your Dominions  
in General. Which Address her Majesty receiv'd  
very graciously.

The following Address was about the same time  
presented to Her Majesty.

To

A. C.

1706.

*Address of*  
*Tam-*  
*worth.*

To the Queen's most Excellent Majesty.

*The Humble Address of the Bayliffs, Recorder, Town-  
 Clark, Capital Burgesſes, Gentry, Clergy, and other  
 Inhabitants of the Ancient Borough of Tamworth,  
 in the Counties of Warwick and Stafford.*

*May it please your Sacred Majesty.*

WE your Majesty's most Dutiful and Loyal Subjects, with Hearts sincerely full of Joy and Gratitude, for the Benefits of your most Happy Reign, make bold, in humble Manner, to Congratulate your Majesty on the late Glorious Progress of your Arms against the Common Enemy, in *Catalonia*, and other Parts of *Spain*; but more especially in the Low Countries, under the Conduct of that Renown'd Prince, and consummate General, the Duke of *Marlborough*; who has by one well struck and followed Blow, in *Brabant*, reduc'd whole Provinces to the Obedience of their Rightful Sovereign, King *Charles III.* of *Spain*; having got a Victory at *Rammelies* so great, as to convince the World that that of *Huchsted* may be equall'd.

The Siege of *Barcelona*, rais'd by the timely Succour of your Majesty's Fleet; occasions us fresh Joy, and calls upon us to acknowledge our Obligations to the Lord High Admiral, your Royal Consort; who, by his Prudent Management, has advanc'd to the highest Pitch, the Naval Glory of this Nation; and by his Interest in the Court of *Denmark*, has procur'd your Majesty those gallant *Danish* Troops, who claim'd so great a share of Honour in the late Action at *Rammelies*.

Nor can we pass in silence, Madam, the Satisfaction that we feel, to see our Fellow Subjects in your Service, arrive at Princely Honour; whilst Princes born, by following the Counsels of your Enemy, are fallen from their Estates and Dignities to Slavery, the Common Lot of all his Vassal Subjects.

We return your Majesty our utmost Thanks, for your constant Care to promote every thing that tends to the Common Good of all your People, and particularly for the Opening of a Trade with his Catholick Majesty's Subjects, which we hope,

Queen ANNE's Reign.

1745

A, C,

1706.

hope, will again revive the Woollen Manufactures of this your Ancient Corporation.

We shall only add our Prayers to the Almighty God, long to preserve your Sacred Person amongst us, and still to afford us fresh Occasions of making like Application to your Majesty, till such time as your Enemies shall be no more.

On the 10th of the same Month, *James Earl of Derby*, being, by Her Majesties Command, Sworn one of the Lords of the Privy-Council; took his Place at the Board accordingly; and Her Majesty having been pleased to give his Lordship the Custody of the Seals of the Dutchy and County Palatine of *Lancaster*, the Oath of Chancellor of the said Dutchy was thereupon administered to his Lordship. Six Days after, Her Majesty wrote the following Letter to the King of *Denmark*.

ANNE, by the Grace of God, Queen of Great-Britain, France and Ireland: Defender of the Faith, &c. To *Frederick the Fourth*, by the same Grace, King of *Denmark*, Norway, and of the Goths and Vandals; Count of *Oldenbourg* and *Delmenhorst*; Our most dear Brother, Nephew, and Friend.

Most Serene and most Potent Prince, Our most dear Brother, Nephew, and Friend,

THO' Your Majesty must have heard by Fame, with how great an Overthrow the United Forces of Spain and France were defeated near *Ramellies* the 12th of last Month, and how much Glory the Danish Troops acquir'd there; yet we thought it Our Part, by this Letter, to acquaint your Majesty, how highly those most invincible Auxiliaries have deserv'd of Us and Our Allies: Deeming it but just, that those who have fought courageously under our Ensigns, should receive from Us their due Praise. We cannot, indeed sufficiently admire, that Soldiers almost spent with so long a March, should rush into the Battle with so great Ardour: But the Sight of the Enemy gave them new Spirits; and no sooner had they seen them, but they routed them. The French have felt at last, that they are no Match for the Warlike People of England, Denmark and Holland; and see 'tis safer for them to screen themselves behind Fortifications;

A. C. as their Custom is, than contend in the open Field. Posterity would scarce believe that the Armies of Two Monarchies, that threatned Europe with Ruin, were defeated so intirely, and with so great Slaughter by an inferiour Force, did not mighty Spoils, most opulent Cities taken, and large Provinces subdued, testify it. What remains? Unless that we recommend those most Valiant Men, who did these things, to your Majesty; not in the least doubting, but that with your accusom'd Goodness, and for inciting others to Virtue, you will favour them with your Approbation, seeing they have gain'd no less Honour to themselves, and to the whole Danish Nation, than Advantage to Europe. We conclude with beseeching Almighty God to keep your Majesty in his Protection. Given at our Castle of Windsor, the 16th Day of June, in the Year of our Lord 1706, and of Our Reign the Fifth.

Your Majesty's  
Most Affectionate Sister  
and Friend,  
ANNE. R.

Count Galas On the same Day, Count Galas, Envoy Extraordinary from the King of Spain, had a publick Audience of Her Majesty, in which he presented a Letter of Thanks from his Master, for the timely Succours sent to the Relief of Barcelona. He had likewise, afterwards, a publick Audience of his Royal Highness Prince George of Denmark, to whom he also presented a Letter from his Catholick Majesty, on the same Occasion. The

next Day, the following Address from the Dissenting Ministers in and about the City of London, (viz. the Presbyterians, Independants, and Baptists) was presented to the Queen by Mr. Spademan, accompanied by 12 other Ministers.

May it please Your Majesty,

THE late surprizing Progress of Your Majesty's Forces, and those of your Allies in Flanders, under the Command of the most illustrious Prince the Duke of Marlborough, and of those in Spain, Commanded by the Noble Earls of Peterborough and Gallway, happily supported by your Royal Navy, under the Conduct of your prudent

prudent and valiant Admirals, engages us humbly to congratulate your Majesty on so glorious an Occasion. A. C. 1706.

'The signal Answer it has pleased God to return to those devout Prayers, which your Majesty, and your People, by your pious Direction, address'd to Heaven, inspires us with a Joy equal to the Mortification it gives your Enemies: And while your Majesty ascribes your many Victories to the Arm of the Almighty, and repeats your Royal Commands to your People to offer him solemn Thanksgiving, we cannot but look on your Majesty's Piety as a hopeful Plodge of the like future Successes.

'As the important Consequences of your Majesty's Triumphs make a daily Accession to your Glory, so they give us an agreeable Prospect of the speedy Reduction of the Power of *France* to its just Limits, the Restitution of Liberty and Peace to *Europe*, the effectual Relief of the Reformed Churches abroad, and the Security of that Provision the Law has made for a Protestant Succession to the Crown of this Kingdom.

'We gratefully acknowledge the Share we have in the Blessings of your Majesty's auspicious Reign, which preserves to us both our Civil and Religious Liberties, and take this Occasion to renew to your Majesty the Assurance of our inviolable Fidelity, to which not only our Interest and Inclination, but the sacred Tyes of Gratitude and Conscience obliges us: And we shall use our utmost Endeavours in our several Stations to promote that Union and Moderation among your Protestant Subjects, so often recommended by your Majesty, as highly necessary to the common Safety.

'May the Divine Providence, that has made your Majesty not only Head of the Protestant Interest, but Chief in the Confederacy for the glorious cause of common Liberty, give your Majesty the Satisfaction of seeing both more firmly established than ever, by the Influence of your Councils and Success of your Arms. May your Majesty's exemplary Piety, Zeal for the Reformation of Manners, and Parental care of all your People, even those of the remotest Colonies,

A. C. 'be eminently rewarded by the great God, with  
1706. 'the constant Prosperity of your Government.

May your Reign be honoured with a happy  
Union of your Two Kingdoms of *Great-Britain*.  
May your Royal Consort, the Prince, enjoy a con-  
firmed Health. May your Majesty continue to  
rule in the Hearts of your People, and be late ad-  
vanced to a Throne of Glory in the Kingdom of  
Heaven; so pray

*Your Majesty's most Loyal and  
most Obedient Subjects and Servants.*

Which Address was receiv'd very graciously by  
Her Majesty.

*Address of the University of Cambridge, presented June 23.* Four Days after the Duke of *Somerſet*, Chancellor of the University of *Cambridge*, attended by the Vice-Chancellor, ſeveral Heads of Colleges, Doctors, in their Scarlet, and others; preſented to Her Ma-  
jeſty a moſt Dutiful and Loyal Address from the ſaid University; Congratulating Her Maſteſty upon the late Signal and Glorious Victory of Her Maſteſty's Forces, and thoſe of Her Allies, under the moſt Excellent and truly Heroick Conduct of his Grace the Duke of *Marlborough*; which was ſo ſurprizingly great, that, as no Words were ſufficient to expreſs it, ſo it had even prevented their moſt forward Hopes, and Expectations. They acknowledged, that the Glory of reducing the Exorbitant Power of *France*, and ſetting the Balance of *Europe*, ſeem'd by Divine Providence reſerv'd to Her Maſteſty, by whoſe wiſe Councils at home, and the aſtoniſhing Progreſs of Her Victorious Arms abroad, the Arbitrary Invader of his Neighbours Territories was brought to ſo low an Ebb, that he muſt henceforward be anxiously ſollicitous to preſerve his own. They further took this Occaſion humbly to offer their repeated Affurances of a moſt inviolable Fidelity to Her Maſteſty's Sacred Perſon, and the firmeſt Adherence to Her juſt and rightful Title to the Imperial Crown of theſe Kingdoms; as alſo to the Succeſſion as ſettled in the Proteſtant Line: Beſeeching the Great God, by whom Kings Reign, that Her Maſteſty may long continue (as ſhe is) the brighteſt Example of ſincere unaffected Piety, the Security and Ornament of the Eſtabliſh'd Church, the

the Safeguard of the State, the Diligence of Her Subjects, the Terror of Her Enemies, the Support of Her Allies; and that Her Reign over us may be as lasting and prosperous, as to them, and all good Men, it is dear and desirable. Which Address Her Majesty was pleased to receive very graciously, and to return the following Answer.

**I** Thank the University, and take their Expressions of Duty to Me very kindly; and they may always depend on My Protection. *The Queen's Answer.*

Sometime after the following remarkable Address of the Corporation of Brackley in Northamptonshire, was presented to the Queen, by Charles Egerton, Esq; and Brigadier Henry Mordaunt, their Representatives,

**W**E, your Majesty's as Loyal, as Ancient Corporation, (tho' we cannot value Our selves for that early Zeal in Addressing, which some of your Special loving Subjects have shewn before us) do flatter our selves with the Hopes, that, tho' we set out late, it is not altogether impossible for us to overtake them in Zeal and Sincerity. We therefore, most Heartily and Sincerely Congratulate Your Majesty's late Signal and Glorious Successes. We cannot, with some of those early Zealors, call them wonderful; because, under the Conduct of such Generals; Under the Administration of such a Ministry; Under the Care and Protection of such a QUEEN, and under the Blessing of GOD Almighty, on so GOOD a CAUSE, it would rather seem Wonderful to be otherwise.

Pursue then, Great Princess, and finish this Glorious Undertaking; the Perfecting and Compleating of which (tho' the Foundation was laid by HIS LATE MAJESTY of ever Glorious Memory) has been by such a continued Chain of Successes, as a Reward for so many accumulated Virtues reserv'd for your Majesty, to Set Bounds to the almost unlimited Ambition of that most Arbitrary Prince. Let your Arms reduce him to Reason, and your Example convince him, tho' late, that no Monarch whatsoever, though never so Absolute, can Reign Entirely Happy, but in the Hearts of his People; And, if so Glorious an Example should fail, let the Terror of your Arms compel him to

A. C.  
1706.



such a Peace, that, for Variety, he must be necessitated to keep; And whilst your Majesty is settling the Peace of *Europe* Abroad, you may not only Unite your Kingdoms, but your People at Home; That in time of War your Armies may never want such GENERALS, and consequently such Successes; That your Fleets may never want faithful COM-  
MANDERS and REAL VICTORIES; That, in time of Peace you may never want so able and so well disposed a MINISTRY; That in Peace or WAR, you may never want such a PARLIAMENT; and, for the sake of all, that every Subject you now have, may never want so Good and Gracious a Queen, is (tho' we are so late in Addressing) the every Day's early Prayer of your Ancient Corporation.

The Queen comes to Kensington.

June. 24.

Publick

Thanksgiving

observ'd

June 27.

The Queen

goes to the

Cathedral

of St.

Paul's in

great So-

lemnity.

Her Majesty and his Royal Highness the Prince, came on the 24th of June, from *Windsor* to *Kensington*: And the 27th of the same Month being the day appointed, by Her Majesty's Proclamation, to be observ'd throughout the Kingdom, as a Day of Publick Thanksgiving to Almighty God for his great Goodness and Mercy, in giving to Her Majesty's Arms, and those of Her Allies, under the Command of the Duke of Marlborough, a Signal and Glorious Victory over the French in Brabant, and the Happy and Wonderful Progress of the Confederate Forces, in restoring the greatest Part of the Spanish Netherlands to the Possession of the House of Austria, in the Person of King Charles III: As also for his Blessing Her Majesty's Arms, and those of Her Allies with great Successes in Catalonia, and other Parts of Spain, the same was solemniz'd by Her Majesty, Her Court, the Nobility, and by the Magistracy of the City of London, in the following manner:

About 10 in the Morning a Battalion of the Foot Guards marched to St. Paul's, and made a Guard in the Body of the Church. The Companies of this City, in their Livery Gowns, repair'd to their several Stands, which were erected on both sides of Fleet-street, from Chancery-lane end as far as St. Paul's. The way from that Church to Temple-bar, was lin'd by three Regiments of the City Train'd Bands, and from thence to St. James's by the Militia of Westminster.

Most of the Lords, and Privy Councillors, that were in and near the Town, met between 10 and



11 In the Morning in the Council Chamber at St. James's, the Knights of the Most Noble Order of the Garter wearing the Collars of that Order; and having been marshall'd by some of the Officers of Arms, proceeded a little before 12 in their Coaches and six Horses towards St. Paul's, viz. *Edward Southwell, Esq; Wm. Blaithwaith Esq; Sir Simon Harcourt, Solicitor General; Sir Edward Northey, Attorney General; Lieutenant General Earl; the Right Honourable James Vernon, Esq; Sir Thomas Trevor, Kt. Lord Chief Justice of the Common Pleas; Sir John Trevor, Kt. Master of the Rolls; Sir John Holt, Kt. Lord Chief Justice of the Court of Queen's Bench; the Rt. Hon. Rob. Harley, Esq; and Sir Charles Hedges, Kt. principal Secretaries of State; the Rt. Hon. John Smith, Esq; Speaker of the House of Commons: Thomas Mansell, Esq; Comptroller; Henry Boyle, Esq; Chancellor, and under Treasurer of the Exchequer; the Lords Allington, Colerane, Harcey, Conway, Guernsey, Granville, Sommers, Dartmouth, Rockingham, Mohun, Howard of Effingham, Wharton, and la Warr; the Bishops of Bangor and Rochester; the Lords Woodstock and Walden, the Lord Viscount Townsend; the Earls of Ranelagh, Orrery, Portmore, Grantham, Orford, Scarborough, Rochester, Radnor, Feversham, Carlisle, Anglesey, Essex, Sunderland, Kingston, Rivers, Manchester, Denbigh, Derby, and Kent Lord Chamberlain; the Dukes of Schombergh, Bolton, Northumberland, Ormond, Grafton, Richmond, and Devonshire, Lord High Steward of her Majesty's Household; the Earl of Pembroke, Lord President of the Privy Council; the Lord Godolphin, Lord High Treasurer; the Lord Keeper of the Great Seal of England, and the Archbishop of Canterbury. In the Procession went Baron Spanheim, the King of Prussia's Ambassador in a Chair, attended with a fine Equipage, and his Lady, Daughter, &c. in a Coach and six Horses.*

After them came Her Majesty attended in the following manner, viz. First the Knight Marshal, and his Men on Horseback; the Equerries, Pages of Honour, and the Gentlemen Ushers in waiting, in her Majesty's leading Coach; the Women of the Bed-Chamber to her Majesty in another of the Queen's Coaches; the Maids of Honour in another;

A. C. the Duke of *Somerset*, Master of the Horse; and the  
 1706. Duke of *Ormond* Captain of the Guards, in wait-  
 ing, in the Queen's Body Chariot, drawn by six Hor-  
 ses, drest up with Knots of blue and red Ribbons;  
 A Detachment of the Horse Grenadiers: her Ma-  
 jesty's Footmen; the Yeomen of the Guards led by  
 the Marquis of *Hartington*, some before, and some  
 on each side of the Queen's Coach; Then her Ma-  
 jesty, with the Dutchess of *Marborough*, Groom of  
 the Stole, and the Countess of *Burlington*, being the  
 Lady of the Bed-Chamber in waiting, in the Coach  
 of State, drawn by eight fine Horses drest with Red  
 and white Knots; a Troop of Horse, Guards closing  
 the Procession. At the end of *Fetter Lane*, *Fleetstreet*,  
 his Grace the Duke of *Somerset*, Master of the Horse  
 to her Majesty, alighted out of one of the Queen's  
 Coaches, and taking Horse, rid afterwards, at a little  
 distance, on the right hand of her Majesty.

Within *Temple-bar*, Sir *Thomas Rawlinson* Knight,  
 Lord Mayor of *London*, in a very rich Crimson, Vel-  
 vet Gown, and wearing the City Jewel, attended  
 with the Court of Aldermen and Sheriffs on Horse-  
 back, (all the proper Officers being on Foot in their  
 Formalities, led by the City Marshal) waiting for  
 her Majesty. When the Queen enter'd the Gate,  
 his Lordship alighted, and congratulating her Ma-  
 jesty upon this happy Occasion, with a bended Knee,  
 presented the City Sword, but the Queen was gra-  
 ciously pleas'd to return it to him, after which he  
 mounted again, and rid bare-headed, carrying it be-  
 fore her Majesty to the Entrance of the Cathedral  
 of *St. Paul's*, (the Aldermen, &c. immediately pre-  
 ceding him,) where the Sword-bearer to the City  
 receiv'd it from his Lordship, who, with his Bre-  
 thren, went directly to their Seats, at the East End  
 of the Gallery, on the South side.

Her Majesty came to *St. Paul's* at half an Hour past  
 One, and was handed out of the Coach by the Earl  
 of *Kent*, Lord Chamberlain. And the great Offi-  
 cers, Nobility, &c. came down to the lower End of  
 the Church to receive Her; from whence the pro-  
 ceeding was thus:

First, the Gentlemen of the Privy Chamber, 6  
 Officers of Arms; then the Privy Councillors (not  
 Peers) before mentioned; Barons two and two;  
 Br

Bishops, Viscount *Townsend*; Earls, two and two; Dukes, two and two; *Norrey* King of Arms; Lord Keeper, Duke of *Devonshire*, Lord Steward; Lord President, Lord Treasurer, and the Lord Archbishop of *Canterbury*; Serjeants at Arms with their Maces; Garter King of Arms between two Gentlemen Ushers; the Sword of State, born by his Grace the Duke of *Northumberland* with his Collar and *George*; the Lord Chamberlain leading her Majesty follow'd by the Dutchess of *Marlborough* and the Countess of *Burlington*; (the Maids of Honour and Ladies of the Bed-Chamber, having, as they alighted, gone before to their Places appointed in the Choir,) The Duke of *Ormond*, Captain of the Guard, and the Duke of *St Albans*, Captain of the Pensioners, with the Band of Pensioners closing the Procession. The Peers, &c. and great Officers were conducted to the Stalls on the North side of the Choir; The *Morocco* Ambassador, with his Retinue sat in the little Middle Gallery; Towards the West-End, sat Baron *Spanheim*, and other Foreign Ministers, with their Ladies; and Sir *Charles Cotterell*, Master of the Ceremonies, in the middle Gallery on the North side. The Lady Mayorefs, and Aldermen's Ladies, in the Gallery at the East End on the same side.

Her Majesty having ascended the Throne; plac'd in the middle of the Choir, just before the Organ, seated herself in an Arm'd Chair; behind the Queen were Stools for the Groom of the Stole, and the Lady of the Bed-Chamber in Waiting. The Principal Officers in Waiting, viz. the Lord Steward, the Duke of *Ormond*, Marquis of *Hastington*, Lord Chamberlain, Vice Chamberlain, &c. attended all within the Throne; as did also the Master of the Horse to her Majesty, and the Duke of *Richmond*; the Ladies of the Bed-Chamber sat in the Stalls; on the South side the Maids of Honour, and her Majesty's Bed-Chamber-Women; below them, at the East end of the Stalls, were plac'd the Earl of *Ranelagh*, Lord Viscount *Cheyne*, Lord *Colerane*, the Speaker, Comptroller of the Exchequer, Secretaries, Privy-Councillors, &c. the Peeresfies were plac'd at the West End of the middle Gallery; the Dean and Prebendaries sat within the Rails of the Altar, except such as officiated in Reading Prayers.

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The first Anthem was Psalm 47, all but the last Verse, the 2d Anthem, was several Verses of Psalm, 89. The Sermon began at half an Hour past 3, and ended at a Quarter past 4: Dr *Stanhope* Dean of *Canterbury* preach'd, and took for his Text the 29th Verse of the 33d Chapter of *Deuteronomy*, *Happy art thou O Israel: Who is like unto thee, O people saved by the Lord, the Shield of thy Help, and who is the Sword of thy Excellency; and thine Enemies shall be found. Liers unto thee, and thou shalt tread upon their high Places.*

Divine Service being ended about a Quarter past Four, her Majesty returned to *St. James's*, attended to *Temple-Bar* by the Sheriffs. The great Guns of the Tower, those upon the River, and the Train in *St. James's Park* were thrice discharg'd; First, When her Majesty took Coach at *St. James's*; 2dly, At the Singing of *Te Deum* (which was perform'd with Vocal and Instrumental Musick, after the Composition of the late famous Mr. *Henry Purcell*;) And 3dly, when her Majesty return'd to her Palace.

In the Cities of *London* and *Westminster* the Balconies and Windows of the Streets thro' which her Majesty pass'd, were most of them hung with Tapestry, and crouded with Spectators; And in the Evening there were Bonfires, Illuminations, Ringing of Bells, and all other Demonstrations of Loyalty and Affection to Her Majesty's Sacred Person, and Auspicious Government; and of the publick Joy upon so extraordinary an Occasion.

The same day Count *Gallas*, Envoy Extraordinary from the Emperor, and Ambassador Extraordinary from his Catholick Majesty, King *Charles III.* caused *Te Deum* to be sung in his Private Chappel in *Leicester-House*; which was admirably well performed by the best *Italian*, and other Musicians in Town. His Excellency gave a magnificent Dinner to the Foreign Ministers of the Princes and States in Confederacy against *France*, and several of the *English* Nobility, to the number of 30 Persons. And in the Evening caused a great Bonfire to be lighted, and illuminations in White Wax Tapers to be made before his House: After which he gave a splendid Ball and Entertainment, at which many Persons of the first Rank and Distinction of both Sexes were present.

\* Two days after, the Queen and her Royal Consort, return'd to *Windsor*. A. C.

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The Emissaries of *France* were the first that published in *Switzerland*, the Accounts of the Battle of *Ramelies*, and of the Raising of the Siege of *Barce-lona*: But they disguis'd so much the Truth, that *Mr Stanian*, the Queen of *Great Britain's* Envoy Extraordinary, thought fit to notify to the Canton of *Zurich*, the Glorious Successes of her Majesty's Arms, and those of her Allies by the following Letter:

*Magnificent Lords,*

**T**H O' you have already heard by publick News, the good Success with which it has pleased God to bless the Arms of the High Allies in *Brabant*, under the Command of his Highness the Prince and Duke of *Marlborough*, and Monsieur the Velt Marechal d'*Auverquerque*, on *Whitsunday* last, being the 23d of *May*, against the French Army commanded by Monsieur de *Baviere*, and Monsieur the Marechal of *Villeroy*, yet I would not fail to acquaint you therewith, on Account of my Post, and also to destroy the false Reports the Enemy is spreading Abroad, to lessen the Advantages of that glorious Day.

The *French*, confiding in the Superiority of their Forces, and understanding that our Army was not yet join'd by a great number of our Auxiliary Troops, resolv'd to pass the *Dyle*, and advance towards us. On the other hand, our Generals knowing by Experience, that they were never to expect they would give us Battle, upon equal terms, thought this Opportunity was too fair to be neglected, and trusting to the Justice of their Cause, and the Goodness of their Troops, they resolv'd to attack them, notwithstanding the Inequality of Number, and feared nothing so much as that the *French* would retire upon their Approach, but by good Fortune they continued firm in their Resolution, and even made a March towards us, posting themselves very advantageously at *Ramelies*, and other neighbouring Villages. I will not enter into the Particulars of this Action, whereof the Gazettes are full. I shall only tell you, that the Fight began on *Sunday* the 23d, at one of the Clock in the Afternoon; and tho'

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'tho' the Battle was very sharp for some time, yet in less than three hours, the Enemy was entirely routed, and pursued by our Troops till night came on. I don't know yet exactly the number of the Enemy which are kill'd, wounded and taken; therefore I shall say nothing positive on that Head; but, 'tis certain, that the Slaughter was extraordinary great; that the choicest of their Troops, and those whom they call the *King's-Household*, were totally ruin'd; and that a great many of their Generals and Officers of Note were kill'd, wounded and taken. Besides, the Desertion is so great among them on this occasion, that they come in whole Troops to our Frontier Towns; so that, without the Body under Monsieur *Marcin*, 'tis believ'd Monsieur *de Baviere* will hardly be able to form an Army of 20000 Men.

'We have taken from them in this Action 50 pieces of Cannon, a great many Colours and Standards, the greatest part of their Baggage; their Ammunition-Waggons, their Pontons, and in general all that belongs to the Train of an Army; and what makes this Victory the greater, we have lost but few People, for we reckon that on our side, the whole Loss will not exceed 2000 Men. But you may judge better, *Magnificent Lords*, of the Victory, by the Effects it has had; since on our Approach, the Enemies have abandon'd *Louvain. Brussels, Malines, Alost, Liere, Ghent, Antwerp, Bruges, Oudenarde*, and other Places, where we found great Magazines of Ammunition and Provisions, which they had not time to destroy. Our Army is still pursuing the Enemy, who continually fly before us; and according to our last Letters, were retired to *Deinse*, and afterwards towards *Courtray*; so that there is reason to hope, by the Blessing of God, that before the end of this Campaign, the best part of the *Spanish Netherlands* will be brought under Subjection to King *Charles III.* their lawful Sovereign; and so much the more, that the People where-ever our Army passes, testify an unexpressible Joy to find themselves deliver'd from the *French Government*, whereby it appears that they only waited an opportunity to rid themselves of that Yoke.

: This

' This happy Progress, with the Revolution in Spain, from whence the Duke of Anjou is retired home to France, with the Residue of his Army, after having shamefully broke up the Siege of Barcelona, gives us Ground to hope, that God will continue his Blessings upon the Arms of the Allies, until France is reduc'd within its just Limits, and the Liberty of Europe establish'd, upon a sure and lasting Foundation. Knowing the Zeal of all the Protestant Cantons for the Security of our Holy Religion and Publick Liberty, I Congratulate your Lordships on this most happy Success, against the known Oppressor of Both; and I easily perswade my self that this Reason, as well as the Advantages which you will reap from it, and the Security which the High Allies may procure by a Peace to your own Dominions, will hinder you from making the least Step towards Maintaining, or Succouring a Prince, whom God thought fit to make use of as a Scourge to chastise us, and whose boundless Ambition has disturb'd the Peace of the World above half a Century.

' I pray God to maintain you always in Prosperity, and that he may heap upon you his choicest Blessings.

Magnificent Lords,

Bern, June.

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Your Most Affectionate to serve you,

A. STANIAN.

The Marquis de Puisieux, the French King's Ambassador, finding it impossible wholly to disguise the Disorder of his Master's Affairs, desir'd an Audience of the General Diet of the Swiss Cantons assembled at Baden, to whom he made the following Speech:

Magnificent Lords,

Very time that I have come into this illustrious Assembly, I have endeavour'd to give you new Marks of the King, my Master's, Friendship. I have had frequent Opportunities of doing it, in acquainting you with his Victories, and in sharing with you the Joy occasioned by our Happy Successes. Fortune, at present, has favour'd our Enemies; and I am now come to give you Expression,

Monsieur

de Puisieux's

Speech to

the Swiss

Cantons,

July 10.

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oni,

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ons of the same Friendship and Confidence, without concealing from you the Affronts she has put upon us.

It is not usual for Ministers of my Character, themselves to declare the Misfortunes of their Sovereigns: But the King, my Master, is unacquainted with those mean Politicks to deceive his Allies, and his People by false Reports. His Arms have been unsuccessful in Catalonia and in Flanders: He himself has commanded me to tell you so. On one side, the Fury of the Rebels has mistaken and repulsed their Lawful King, who was come to free his faithful Subjects from the Oppression of a Foreign Power. On the other, the Courage of the French has hurried them, with too great Eagerness, into the midst of Enemies, of whose Strength they were misinform'd, and whose Numbers have triumph'd over their Valour. A vast Country abandoned, and lofty Towns brought under Consternation, have proved the Reward of the Conquerors.

It is not to seek from you, my Lords, the Comfort that is found in the midst of one's Misfortunes, by relating them to sincere Friends, that I recal to mind so melancholy a Thought: It is rather to comfort and encourage you, The King, my Master, is persuaded of your Affection for his Sacred Person, and of the Share you take in all that happens to him: He is also sensible, that you know your true Interest.

You are not unacquainted, my Lords, with the Dangerous Condition, into which the Liberty of your Country would be brought, if the House of Austria could resume that dreadful Superiority it had under Charles the Fifth. It is still aspiring, and would soon attain to it, through the Assistance of a World of blinded Allies, who, for its sake, squander away the Treasures and Blood of their People: I say, it would soon arrive to it, if France should grow weary of opposing, or should be forced to yield to a too impetuous Torrent.

You have seen in one of Monsieur Mellaredé's Memorials, which I have published, the Plots that are laid to break the Union of the Laudable Helvetic Body, and to destroy you by your own Hands. Be aware of the false Carresses that are made use of to win you; Despise the vain Threats that are employed to frighten you; Fly from the Snares that are laid for you; Do not forsake your Common Interest; Secure with stricter Bonds your mutual Confederacy; Be still more careful to preserve your solid Alli-



*Alliance with the King, my Master, and do not suffer your selves to be scared by the unfair Description that is given you of his Losses. Whatever they are, They do not discompose his great Mind; They do not disturb his Councils; They do not exhaust his Treasures; They do not cool the Zeal of his Subjects; He will not grow weary of Combating for the Liberty of Europe; and he will not be wanting in any thing to preserve yours, if it ever should be attack'd. This, my Lords, is what he has commanded me to declare to you; assuring you of his powerful Protection, and of his federal and ever inviolable Friendship.*

The Canton of Bern resented so much Monsieur de Puisieux's publishing the Draught of a Memorial, which Monsieur de Mellarède design'd to present to the Cantons, (mention'd in the foregoing Speech) that they wrote the following Letter to that Minister.

*The Cantons  
of Bern's  
Letter to  
the French  
Ambassa-  
dor.*

*Most Excellent Lord,*

WE were persuaded, when your Excellency communicated to us by a Person of Confidence, the Memorial of the Minister of Savoy intercepted in Italy, that your Excellency had no other Design in it, but to communicate the true Sentiments of that Minister with respect to us, with the Views he had propos'd to himself in his Negotiations, and the Methods he was to take, in order to succeed in them; so that we might take necessary and convenient Precautions to prevent any thing that might be prejudicial to the Interest of our State: And had your Excellency stop'd there, we should not have fail'd of returning you Thanks. In the mean time we cannot conceal, that we look upon it with a quite different Aspect, since we perceive that your Excellency has not only printed that Memorial, with several Reflections and some Expressions which we cannot but resent, but that you have also publish'd the same here, and through all Switzerland.

Indeed, we could have wish'd that the Minister of Savoy had never wrote such a Memorial, as evidently shews, that he does not understand our Constitutions so well as he imagines: But we also perceive



ceive thereby, that Foreign Ministers who reside in *Switzerland*, give, many times, provoking Impressions of our Nation to their Masters, and endeavour to do it ill Offices; and when they cannot succeed in their Negotiations, they throw the Blame upon the Laudable Cantons; but this we refer to the Almighty, who is the Protector of Innocence and Truth: For we cannot hinder Foreign Ministers to write and report what they please to their Princes and Superiors, or to inform them contrary to Matter of Fact. As such we look upon this intercepted Memorial of the Minister of *Savoy*, who, in all probability, wrote it as a secret Relation to the Prince, his Master; and tho' indeed it be ill founded, disobliging and disadvantageous to us, it appears, however, that the Author had Discretion enough to conceal it, and that it is against his Will, it fell into the Hands of Stangers, or was publish'd.

On the contrary, we have reason to be very much surpriz'd, that your Excellency did not better consider before you printed or publish'd the Memorial aforesaid, with your Reflections; for tho' your Excellency had not thought fit to shew any Regard for our State in that Matter, yet we think you ought to have avoided it, in consideration of the troublesome and dangerous Consequences that might attend such a Publication; and so much the more, that your Excellency being known to be a Person of consummate Experience, and great Learning, you must needs perfectly understand the Respect due from Publick Ministers towards Kings, Princes, and Free-States; besides your Excellency is not ignorant, that in all Ages the best govern'd Monarchies and Republicks have had their own Faults; so that your Excellency is able to judge how much the Honour and Reputation of Sovereign Princes and States might suffer, were it allow'd publick Ministers to expose them thus, with so much Contempt, on the great Theatre of the World, and openly in Print to publish the Domestick and Personal Affairs of those Princes and States, with whom they reside, and in this manner to discover to all the

the World their Real or Imaginary Faults or Weaknesses. A. C.

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It is easie to perceive that this must produce Contempt of higher Powers, Misunderstandings betwixt Neighbours, Troubles, intestine Divisions, and such other faral Effects. This is such a Thing as no Sovereign would ever allow in his own Ministers, and much less order them to do that to others, which he would take as the greatest Affront if done to himself.

These are the weighry and just Considerations which incline us to believe, that if his Most Christian Majesties more great and important Affairs had allow'd him to cast his Eye upon that Memorial, and the Reflections join'd to it, he would certainly never have approv'd that you should have communicated the same to us, and much less that you should have Printed, and Published them, since those Reflections tend to give a very contemptible Idea of our State, which has the Honour notwithstanding to be strictly allied with his Majesty; And since they speak also of an Irruption into our Country, tho' we always thought that the Treaty of a perpetual Peace, betwixt us and the Crown of *France*, ought to have protected us against all Hostilities on his Part, and that the effectual and Important Services which the Crown has receiv'd from us on many Occasions deserv'd better. In short, those Reflections meddle with our Domestick Affairs, and that in such a manner, as to stir up dangerous Divisions among Ourselves; and what touches us yet more, tend to sow Jealousie and Mistrust amongst our Dear Allies against us, as if there were some among us capable of designing to break the Helvetick Union; of disturbing the Peace of our Country, and of invading the Sovereignty of the other Laudable Cantons; Nay, as if we had a Design to imploy for that end the Superiority of Forces, which the Reflections ascribe to us, tho' we thought we had given convincing Proofs, on several Occasions, that we never had the least Inclination to make use of those pretended Forces, so much despised by the Reflections, to offend any of our Dear Allies and Confederates, or to invade their Rights and Sovereignities; but that on the

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contrary. we reserve them only to make use of them, with God's Assistance, against those who shall attempt to destroy our common Liberty, and the Helvetick Union, which our Ancestors and We have so carefully entertain'd and preserv'd.

Therefore we most earnestly pray, that your Excellency would, for the time to come, forbear such Insinuations against our State, which we cannot but resent, may be of dangerous Consequence; and so far from establishing Union, Peace and Tranquility, that, on the contrary, they will be an infallible Occasion of Discord and Misunderstanding. And as, on our Part, we have always made it our chief Care Faithfully and Religiously to observe the Alliance which we have with the Crown of *France*, as well as the Union with our Dear Allies and Confederates of the Laudable Helvetick Body, We have ground to hope that his most Christian Majesty, and our said Dear Allies, will not be wanting to do the like to us: And therefore we expect that your Excellency will for the time to come, give us no cause for such Complaints, but that you will rather employ your good Offices, that the Arrears of our Pensions, and other Debts due to us, may be paid us according to our Treaties. This would be a Way, not only to confirm our Fæderal Amity with the Crown of *France*, but also to augment it: And this we shall have Reason to look upon as a sincere Proof of the Good Will which your Excellency has so often assured us of, and carefully lay hold on all Occasions to testify to your Excellency, that, &c.

In this Critical Juncture, an Extraordinary Assembly of the *Grandeess of Spain*, was held at *Madrid*, to whom Monsieur *Amelot*, the *French Ambassador*, made the following Speech.

Monsieur  
Amelot's  
Speech to  
the Grande-  
ees of  
Spain.

*Illustrious Grandees,*

I Have call'd this Illustrious Assembly together, by the King my Master's Orders, to know your Excellencies true Sentiments, after the TWO DISGRACES that have befallen the two Crowns, both in *Catalonia* and *Flanders*. The King, my Master, complaining of the inconsiderable Assistance he receives from you, has oblig'd me to call this

' this Council, to tell you, That the King his Grand-  
 ' Son, having by Right of Blood, been call'd to the  
 ' Crown of Spain, *He does not pretend to maintain him*  
 ' *against the Dispositions*, which several of your Ex-  
 ' cellencies may have for the Arch-Duke, who comes  
 ' without Right, with open Force, to trouble the  
 ' Repose of the Monarchy. If his Catholick Ma-  
 ' jesty, a Prince so Gracious, whom God has given  
 ' you, should not find a Place in all the Hearts of  
 ' this Nation, having attempted nothing against the  
 ' Laws and Religion of the Kingdom; how shall it  
 ' be believ'd, that a Nation so Christian and Catho-  
 ' lick can side with an Usurper, accompanied with  
 ' a Number of *Hereticks*, who endeavour his Settle-  
 ' ment only by the Over-turning of Altars? The  
 ' King, my Master, preferring God's Worship be-  
 ' fore all Worldly Crowns, would sooner consent to  
 ' the King, his Grand-Son's RETURN, than be  
 ' the Cause of all the Sacrileges that are committed  
 ' in the Invasion of this Monarchy: wherefore I be-  
 ' seech your Excellencies to be plain with me, and  
 ' to let me know the *true Sentiments* you have for  
 ' your Prince. This Speech being ended, the Duke  
 ' of *Medina Celi*, represented the Grievances of the  
 ' *Spanish Nation*; complaining in particular, 'That  
 ' the Administration of the Treasury was under the  
 ' Direction of a *French Man*: That Arbitrary Cour-  
 ' ses had been used against some Grandees; And  
 ' that the Trade to the *West-Indies*, the only Riches  
 ' of Spain, was wholly engross'd by France. Mon-  
 ' sieur *Amelot* answer'd, 'That the King, his Master,  
 ' had given him Power, to assure their Excellencies,  
 ' That his Majesty would redress all their Grie-  
 ' vances, and remedy the Inconveniencies, of which  
 ' they were apprehensive; in all which, he would  
 ' absolutely follow their Excellencies Advice. Upon  
 ' these Assurances, the Duke of *Medina Celi* reply'd,  
 ' in the Name of the Assembly, 'That the King of  
 ' Spain might depend upon it, That they would  
 ' sacrifice their Lives and Fortunes to support him,  
 ' in order to which, they would maintain 40000  
 ' Men at their own Expence, without diminishing  
 ' his Revenue; And that he might with all security,  
 ' return to *Madrid*, where his Catholick Majesty  
 ' would receive Demonstrations of their Fidelity.

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Then addressing himself to the Assembly, the Duke of *Medina Celi* added, 'That if there were any Discontented amongst them, who were inclin'd for the *Arch-Duke*, they were free to retire, and their Revenues would be remitted to them, whithersoever they should go; but, that if, after this Declaration, any of them should betray their Prince, and the Nation, they might depend upon it, that their Heads would be struck off on a Block, and their Estates confiscated; And, that if any thing was discover'd in his own Conduct, contrary to the Interest of his Prince, he consented to be made an Example.

*The French King's Councils disturb'd.*

Norwithstanding what Monsieur de *Ruisieux* advanc'd in his Speech to the *Switzers*, that the *French King's Losses did not disturb his Councils*, yet the Defeat of the *French Army* in the *Netherlands*, and the surprizing Consternation among their Troops, oblig'd that Court to make Alterations in the Command of their Forces: A thing scarce ever before practis'd in the middle of a Campaign. The Duke of *Vendosme* being their most prosperous, if not their ablest General, they thought fit to recal him from *Italy*, and give him the Command of the Army in the *Netherlands*; and to appoint the Duke of *Orleans* to succeed him in the Command of the Army in *Italy*, having the *Marschal de Marcin*, and the Duke of *la Fouillade*, under him. The Preamble of the Commissions of the Dukes of *Orleans* and *Vendosme*, betray some important Truths, and therefore deserve to be set down in this Place. That of the Duke of *Orleans* was as follows:

*The Duke of Vendosme recall'd from Italy.*

*The Preamble to the Duke of Orleans's Commission.*

**L**EWIS by the Grace of God, King of *France* and *Navarre*, to all who shall see these Presents, Greeting. Having thought fit to give our most dear and well beloved Cousin the Duke of *Vendosme*, the general Command of our Armies in *Flanders*, and it being necessary to choose a Chief to take upon him in his stead the general Command of our Armies in *Italy*, we have resolv'd to send our most dear and most intirely beloved Nephew the Duke of *Orleans*, as well to gratifie the ardent Desire he has long express'd to be at the Head of our Troops, and

and by signalizing his Valour to promote our Glory and the general Good of the State, as because we are satisfied, that besides an Elevation of Soul and Sentiments becoming his Grandeur and Birth, he has by Care and Application acquir'd early the Experience and Talents requisite for commanding Troops, as he has sufficiently shewn in the Command of our Horse, which he has exercis'd with all the Ability of a great Captain: We have moreover consider'd that the Respect the Soldiers have for his Person, their Alacrity to serve under his Orders, their Desire to make themselves known by their Services, and to please him and distinguish themselves in his Sight, Exciting Emulation in them, and Animating their Courage and Zeal, every Man will apply himself with the greater Earnestness to do his Duty; which cannot but contribute very much to the Success of the Enterprizes of our Army under his Conduct. *For these Causes, &c.*

The Patent of the Duke of Vendosme is still more remarkable.

**L**EWIS, &c. - Notwithstanding the continual *And of the* Progress our Armies in Italy have made, under *Duke of* the Conduct of our Right Well beloved Cousin, *Vendosme's* the Duke of Vendosme, since the opening of the Campaign in the Year 1702, when we trusted him with the Command of our Troops, seem to invite us to leave him the Care of finishing the War on that side: Yet the Necessity of putting at the Head of our Armies in Flanders, a General, *who may gain* the Confidence of the Officers and Soldiers, and restore to the Troops, that Spirit of Fortitude and Boldness so natural to the French Nation; and the Knowledge we have that no other is more capable to answer our Expectations than our Cousin aforesaid, have determin'd us to recal him from Italy; to give him the Command of our Armies in the Low Countries; being perswaded that his Services will be more useful to us, and that in any Country whatsoever where he shall make War, it will be as gloriously as in Italy. Therefore, &c.

The

A. C.

1706

*The Continuation of the Duke of Marlborough's Campaign. His Grace sets out from the Hague for the Army. His Reception at Antwerp June 13. N. S.*

The French King was much deceiv'd in his Expectation, for the Duke of *Vendosme* made but an indifferent Figure in *Flanders*; where Fortune and Success did constantly attend the Duke of *Marlborough*, in one Day, concerted with the States Deputies about the Government of the Cities and Towns lately conquer'd, set out the 11th of June N. S. from the *Hague*, in order to return to the Army, and lay that Night at *Moore-Dyke*. The next Day, as his Grace was proceeding on his Journey, he was met at *Merxem*, two Leagues from *Antwerp*, by the Bishop of that City, attended by all the Clergy, both Secular and Regular, who assur'd his Grace of their inviolable Loyalty and Affection to King *Charles the Third*, and to the House of *Austria*; Acknowledging, at the same time, his Grace to have been the Glorious Instrument of their happy Deliverance from the Tyranny of *France*, under which they had labour'd ever since the Death of King *Charles the Second*. The Margrave of *Antwerp*, with the Burgomasters, and the rest of the Magistrates, attended his Grace at some Distance from the City, where the First Pensioner, in the Name of the rest, made a Speech to the same Purpose as the Clergy had done before, and presented his Grace the Keys of the Town, telling him, *They had never been Deliver'd up to any Person since the great Duke of Parma, and that after a Siege of Twelve Months*. His Grace, at his Entry into the Town, was receiv'd with all the Honours and Ceremonies usually pay'd to their Sovereign Princes, 150 of the Principal Citizens going in Procession before the Coach his Grace was in, with lighted Flambeaux, to the Bishop's Palace, where he was splendidly entertain'd, and lodg'd that Night. The Marquis *de Thoraxena*, Grandee of *Spain*, and Governor of the Citadel, who had declar'd for King *Charles the Third*, waited on his Grace during the whole Solemnity: and the Streets were crowded with infinite Numbers of People, continually repeating, with the greatest Marks of Joy and Satisfaction imaginable, *Long Live King Charles the Third*. His Grace left *Antwerp* the 13th early in the morning, and arriv'd the same Evening



in the Camp at *Arfele*. When the Garrison of *Antw.* A. C. *werp* was to march out according to the Capitulation, one *Spanish* and one *Walloon* Regiment stay'd behind entire; and of the other Regiments of those Countries, there were scarce 150 left when they pass'd by *Brussels*, most of the Officers and Soldiers entering into the Service of the Catholick King; as did likewise the Marquess de *Winterfeld*, Lieutenant-General, and Governor of *Lier*, who commanded the Garrison in the City of *Antwerp*, and the Baron de *Vrangle*, a Major-General, being a Man of the First Quality, and of great Credit among the Troops.

On the 14th of the same Month, General *Churchil*, Governor of *Brussels*, caus'd a Proclamation to be affix'd at the usual Places; importing, 'That he judg'd it necessary for the Service of his Catholick Majesty *Charles III.* and to prevent many inconveniencies, to command all *French-men*, *Millitary*, or others, not *Burghers*, or *House-keepers* in that City, not to stir out of their Dwellings on the said 14th Day of *June* 1706, in the Afternoon, on Pain of Imprisonment; having directed Passes for their retiring safely to be given to all such as should desire the same; Declaring, That If 24 Hours after that time, any *French-men*, not *Burghers*, or *House-keepers*, should be found in that City, they should be treated as *Spies*, and hang'd. All *Inn-keepers*, and other *Inhabitants* of that City, were that Morning to deliver to his Excellency a perfect List of all the *French*, who lodg'd in their Houses pursuant to an Ordinance of the Magistrates of that City publish'd the day before; All *Spaniards*, who were come thither from the Garrison of *Antwerp*, and would not acknowledge *Charles III.* for their Lawful Sovereign, nor could produce Passes from *Brigadier Cadogan*, should be treated as the aforesaid *French-men*; and the Wives of all *French Officers* or *Soldiers*, except such as by reason of *Sickness* were confin'd to their Beds, were to retire from thence in 3 Days, on Pain of Imprisonment, and Forfeiture of all their Goods and Effects.

While the Enemy lay near *Courtray*, they were reinforced by the Detachment of Foot, which *Marshall de Marcin* was leading from *Germany*, the Horse of that Detachment, having join'd them before the

The French and Confederate Armies are reinforced.

A. C. Battle : And other Detachments, both from the French Army on the *Upper-Rhine*, and from the King's Household, were order'd to *Flanders*. On the other hand, the States-General, caus'd 20 Battalions to march out of several Garrisons to reinforce the Army under the Duke of *Marlborough* and Monsieur *d'Auverquerque* ; and at the same time, the Troops of *Hanover*, and those of the King of *Prussia*, which serv'd last year on the *Rhine*, advanc'd towards *Brabant* with speedy Marches, to make up their former Slowness. Thus the Confederates being still much Superior, it was resolv'd to besiege *Ostend*, a Town more famous for the Siege it sustain'd in the last Age, against all the Forces of *Spain*, than for the Goodness of its Fortifications ; but which, nevertheless, is very considerable, in regard of its Situation, which covers great Part of *Flanders*, and its being a Sea-Port Town, and a Nest of Privateers which very much annoy'd the Trade of the *English* and *Dutch*. The Enterprize seem'd the more difficult, by Reason the Place could only be attack'd on one side and that a very narrow one : However, whilst the Grand Army was taking some Rest and Refreshment, General *Fagel*, who was encamp'd at *Oudenburgh*, took Sword in Hand, the Fort of *Plassendael*, which is not far from *Ostend*, and facilitated the Reduction of that Town.

The Siege of Ostend resolv'd on.

The Fort of Plassen-dael taken June 15. N. S.

The Design upon Newport laid aside.

The Siege of Ostend.

It was resolv'd, at the same time, to make an Attempt upon *Newport*, in order to which Monsieur *d'Auverquerque*, with 41 Battalions and 30 Squadrons approach'd that Place the 18th of *June*, and immediately made some Dispositions to attack it ; but meeting with Difficulties, especially from the letting out of the Sluces, which would have rendred that Siege more tedious than was expected, it was thought fit to begin with that of *Ostend*, and accordingly he decamp'd the 19th from the Neighbourhood of *Newport*, and encamp'd at *Marickerke*, near *Fort Albert*, within half a League of *Ostend*. It was intended to open the Trenches the 20th, but the Ground being very low, and it being impossible to dig, in some Places, a Foot and a half, without finding Water, the same was put off till they had got together a sufficient number of Fascines and Gabions to cover the Workmen and Soldiers. Wonderful Diligence was us'd to get all things in a readiness ; yet in the Coun-

cil of War, which was held the 23<sup>d</sup> it was resolv'd, to suspend, for some Days longer, the opening of the Trenches, until they had receiv'd all their Artillery, and other Necessaries for carrying on the Siege with Vigour. Sir *Stafford Fairborn*, at the same time, with a Squadron of 9 large *English* Ships of War, 4 Bomb-Ketches, and 2 Fireships, block'd up the Harbour, being to batter the Town by Sea. The Night between the 25<sup>th</sup> and 26<sup>th</sup> the Enemy having erected, without the Town, a Battery of 5 pieces of Cannon towards the Sea-side, to hinder the Barks from Landing, the advanc'd Guard repair'd thither, and having nail'd up the 5 Pieces retir'd by break of Day. In the mean time, the Besiegers having Intelligence, that the Seamen and Burghers, would assist the *French* Garrison in defending the Place, Monsieur the Velt-Mareschal, sent them Word, that he would ruin the Town, and burn all the Ships, in case they should help the Enemy, which Message had the desired Effect. Moreover, the four Burghomasters came to the Camp the 28<sup>th</sup>, to beg that their Town and Ships might be spared, the Bomb-ketches having already thrown in some Bombs. But, as they made no Offer of surrendring, they were obliged to return without a favourable Answer. The night following, being that between the 28<sup>th</sup> and 29<sup>th</sup>, the Trenches were open'd within Musket-shot of the Place, by Lieutenant-General *Faget*, having under him Major General *Lauder*, and Brigadier *Amama*, with two Colonels, and 2000 Soldiers or Pioneers, supported by four Battalions, viz. Two *English* and Two *Dutch*: And tho' the Enemy made great Fire from the Town, yet the Works were carried on with great Success, and without any greater loss than about 60 men kill'd or wounded. The 29<sup>th</sup> the Trenches were reliev'd by Lieutenant General *Oxenstiern*, Major General *Murray*, and the Duke of *Argyle* Brigadier, with a Colonel, four Battalions, and 1800 Pioneers. The 30<sup>th</sup> General *Spar*, with Major General *Collier*, and Brigadier *Zitson*, with a Colonel, four Battalions, and 1500 Pioneers reliev'd the Trenches: And those three Lieutenant Generals, in their Turn, commanded in the Trenches till the Place was surrendred. The 1<sup>st</sup> of July the Batteries were finish'd, and the Besiegers

The Trenches open'd,  
June 28.  
N. S.

began

A. C. began to plant Cannon thereon. The 3d Sir *Stafford*

1706. *Fairborn* came ashore to confer with *Moultieur d'Anverquerque*, and it was resolv'd that the next Day the Bomb-Vessels should draw near the Place to bombard the Town. The same day, (the 3d of *July*) the Trenches on the left were carried on within 150 Paces of the Glacis of the Place; and the Line of Communication being finish'd, the Attacks were pursued with so great Vigour, that the Besiegers covered themselves from the Cannon of the Town; inso-much, that the 4 Batteries that had been erected, viz. one of 8 pieces of Cannon, one of 18 Mortars, one of 38 pieces, and one of 7, being all ready, they began to batter the Place by break of Day, with such uninterrupted Fury, that Fire broke out in several Places before 8 a Clock; and the Town being so terribly battered, both by Sea and by Land, great part of the Cannon of the Besieged were dismounted before Night, and the Place almost entirely ruin'd. The 4th was spent in firing vigorously against, and bombarding the Town, and the Night between the 4th and 5th an Assault was made upon the Counterscarp. The Attack was begun by 50 *English* Grenadiers commanded by a Lieutenant, and supported by a *Dutch* Battalion, and was carry'd on with all imaginable Vigour and Resolution. The Allies having beaten the Enemy from their Works, made a Lodgment upon the Counterscarp. That morning the Besieged sallied out with 900 Men in order to dislodge the Besiegers, and endeavour the Regaining of that Post; but the Battalions that were in the Trenches, advancing to their Assistance, and some Shots being fired on both sides, the Enemy retired without being able to effect their design. This Skirmish, however, cost the Besiegers 50 Men killed and wounded. In the mean time, great Diligence was used in perfecting two Batteries on the Glacis, one of 12 Pieces of Cannon, and the other of Eight.

At last, on the 6th of *July*, the Besieged not being able to hold out any longer against the force of 46 heavy Pieces of Cannon, 18 Mortars, and some hundreds of small Mortars, called *Coehorn* Mortars, beat a Parley at 9 in the morning; and the Capitulation being concluded and signed at 11 at Night, they

they surrendred *Ostend* to the Allies, who the next Morning, took Possession of it in the Name of King *Charles III.* This Town was Invested by the *Spaniards* during the Government of the Arch-Duke *Albert of Austria* the 5th of of *July 1601*, and sustain'd, at that time, a Siege of three Years, or, as some Historians relate, 3 Years, 3 Months, 3 Weeks, 3 Days, and 3 Hours, during which the Besiegers lost Seventy six thousand, Nine hundred and Sixty one Persons, viz. 7 Field-Marschals, 15 Colonels, 19 Majors, 169 Captains, 1166 Lieutenants, 322 Ensigns, 1911 Sergeants, 9166 Corporals, 610 Under Corporals, 54366 private Soldiers, 6011 Seamen, and 1196 Women and Children. But now the same Place, tho' defended by a numerous Garrison, commanded by two Generals, the one a *Frenchman*, the other a *Spaniard*, and provided with abundance of Artillery and Ammunition, surrendred to the Invincible Allies, after it had been battered only 3 Days and some Hours.

According to the Capitulation, the Garrison march'd out on the 8th of *July*, without any Marks of Honour, and only with their Swords and Baggage, having been obliged to promise not to bear Arms against King *Charles III.* or his Allies, for the six Months following. It consisted of two *Spanish* Battalions; four Troops of Dragoons of the same Nation, and four *French* Regiments; but the former, most of them, entred into the Service of the Allies. No mention was made in the Capitulation of the Shipping in the Harbour, in which were found two Men of War, one of 80, the other of 50 Guns, and about 45 small Vessels. This Conquest did not cost the Confederates above 500 Men, killed or wounded.

*Monsieur d'Auverquerque* having caus'd the Approaches before *Ostend* to be levell'd, and left a good Garrison in that Town under the Command of Lieutenant General *Spar*, and in *Plassendaet*, march'd on the 12th of *July*, with the Troops under his Command, to join the Duke of *Marlborough*, whom we left encamp'd at *Arfele*. His Grace broke up from thence the 18th of *June*, and march'd to *Rousselaer*, where he encamp'd to cover the Siege of *Ostend*. The 22d his Grace receiv'd Advice from Brigadier *Marlborough*, who commanded the Troops employed in

Motions of  
the Army  
under the  
Duke of  
Marlbo-  
rough.

A. C. in the Blockade of *Dendermonde*, That the Enemy  
 1706. having sent a Detachment from *Mons*, of 3000 Horse  
 and 2000 Foot, with intent to surprize him, he had  
 retir'd from *Lobbeke* to *Baefstroo*; which was so ad-  
 vantagious a Post, that the Enemy did not think fit  
 to attack him, tho' so much superior in number.  
 He had only five Men kill'd out of 50 he had Left  
 in a Redoubt to cover his Retreat; and the Captain  
 who commanded 'em, with 7 of his Men, were  
 taken Prisoners. The Enemy put about 400 Foot,  
 and 100 Dragoons into the Town; and upon the  
 appearing of Brigadier *Cadogan* with 6 Squadrons,  
 who came from *Oudenarde* about an hour too late to  
 secure the Bridge of *Alost*, they return'd with great  
 Precipitation to *Mons*, having in this Expedition  
 lost near 700 Men by Desertion. The 28th, his  
 Grace receiv'd a Letter from Brigadier *Cadogan*, with  
 an Account, that the Bombs having set the Town  
 of *Dendermonde* on Fire in several Places, he had the  
 27th at night, by the Advice of the Marquis de *Terra-  
 zena*, written a Letter to the Governor, Monsieur  
*Desvall*, to acquaint him, That the Garrison was to  
 expect no other Conditions than to remain Prisoners  
 of War, if they persisted any longer to defend the  
 Place: Whereupon the Governor desired a Cessation  
 of Arms for 24 Hours, to assemble and consult  
 with his Officers. The 29th, the Cessation being  
 expired, he sent this Answer to the Marquis de  
*Terrazena*, That having call'd a Council of War,  
 they came to a Resolution, That seeing the Town had  
 a strong Garrison, and was otherwise provided for a good  
 Defence, it was their Duty to hold out to the last: Where-  
 upon, Orders were sent for the close Blocking up of  
 that Place, till there should be a proper Season for  
 Attacking it in Form. The Troops of *Prussia* and  
*Hanover*, came that Day to *Alost*, and Orders were  
 sent them to encamp there till further Orders. The  
 2d of July at Night, the Lord *Raby*, Ambassador  
 Extraordinary from Her Majesty of Great-Britain to  
 the King of *Prussia*, came from *Wesel* to the Camp  
 at *Rouffeln*, to wait upon the Duke of *Marlborough*.  
 The 4th in the Morning, his Grace went to Mon-  
 sieur d'*Auverquerque*'s Camp before *Ostend*; and as  
 he passed thro' *Bruges*, was saluted with a tripple  
 Discharge of the Cannon of that Place. His Grace  
 Din'd

*Dender-  
 monde  
 refuses  
 again to  
 surrender.*

din'd with Monsieur d'Auverquerque; went afterwards to the Trenches, and view'd the Batteries; and upon his appearing on the Strand, was saluted by the *English* Squadron commanded by Sir Stafford Fairborn. His Grace pass'd through *Bruges* in his Return, where he was again saluted with a tripple Discharge of the Artillery. The Clergy met him at some distance out of the Town, as the Magistrates of that City and *Franc* did at the Gates: They all made their Excuses, that they did not know of his Grace's coming the Day before till he was at their Gates; and presented to him the Keys of the City, assuring him of their Zeal and Loyalty to their Lawful Sovereign King *Charles III.* and acknowledging, at the same time, their great Obligations to his Grace, as the happy Instrument of their Deliverance from the Tyranny of *France*. His Grace return'd to the Army about 6 in the Evening. My Lord Duke, before his going to *Ostend*, had order'd the Prince of *Holstein-Beck*, Lieutenant-General, to march with 3 Battalions and take Possession of *Courtray*; where he arriv'd accordingly the 5th. The Detachment under the Command of Major-General *Berensdorf*, which lay near *Oudenarde*, was order'd, at the same time, to take the Camp of *Harlebeck* near *Courtray*. His Grace intending to march thither with the Army. The Troops of *Prussia* and *Hanover* were the same day order'd to march to *Ninove*. The 6th, the Duke of *Marlborough*, with the Army under his Command, march'd from *Rousselaer*, and encamp'd with the Right at *Courtray*, and the Left at *Harlebeck*, the River *Lys* being in the Rear. His Grace, having Notice, That the Prince Royal of *Prussia*, intended to see the Army, sent away Collonel *Dural*, Adjutant-General, the 8th in the Morning, to *Cleves*, to compliment his Royal Highness, and to conduct him to the Camp. The 10th Collonel *La-lo's* Regiment march'd from the Camp towards *Ostend*, there to embark, together with Brigadier-General *Faringdon's*, and Brigadier-General *Macartney's* Regiments, in order to join the Troops in *England* that were to go upon the Descent. The 11th the Army marched from *Harlebeck* and came to *Helchin*, near which Place four Bridges were, by his Grace's Directions, laid over the *Schelde*. In the Evening,

A. C.

1706.

The Prince  
Royal of  
Prussia  
comes to the  
Army July  
16. N. S.

Count *Maffei*, Envoy Extraordinary from the Duke of *Savoy*, came thither; having Orders from His Royal Highness to wait upon his Grace. The 13th Brigadier *Cadogan* was sent by my Lord Duke with 400 Horse to mark out a Camp for the Army near *Gramont*, in case upon the Enemy's motions, it should be thought necessary to march that way; which being done, and Directions likewise given for the widening and repairing the Ways thither, he return'd in the Evening with his Detachment to the Army. The Elector of *Bavaria*, upon Advice of the Allies having laid Bridges over the *Schelde*, and the Appearance of their Troops about *Gramont*, retir'd, in great haste, the 13th at Night with his Court from *Mons*, to *Valenciennes*. The 16th the Prince Royal of *Prussia* arriv'd at the Confederate Camp with his Court, being met at some distance from the Camp by the Duke of *Marlborough* and the General Officers. His Grace conducted his Royal Highness to his Quarters, and entertain'd him at Dinner. The next morning his Grace order'd the first Line of the Army to draw out, and pass in Review before his Royal Highness. The 18th in the morning my Lord Duke with the Prince Royal, and several General Officers, went with a Guard of 2000 Horse and 600 Foot, to a rising Ground within a mile of *Tourney*, where they took a view of the Plate, and return'd, about Noon to the Camp. The 19th. in the morning early his Grace went to view *Monf. d'Auverquerque's* Army, which came the 17th to *St. Eloy Vive*, beyond *Harlebeck*, on the *Lys*, where they continued for the better Subsistence of the Troops. His Grace at the same time, ordered that River to be viewed; and finding that the Enemy, by making Sluces, had so drain'd the Water, that instead of 5 Foot necessary to bring up the Boats with the Artillery, in many places there was not one Foot left, General *Salisch* was ordered the 20th with a strong Detachment to break all the Sluces between *Liste*, *Armentiers*, *Menin* and *Courtray*. The Troops of *Prussia* and *Hanover* with 3000 *Palatines* march'd from *Alost* the 17th, and arriv'd the 19th in the Rear of the Second Line.

His Grace's Army being thus considerably reinforced it was thought fit to employ most of the Troops that had no share in the former Services and  
Fatigue



175

A. C.

1706.

*The Siege of  
Menin re-  
solved upon*

*Menin in-  
vested Ju-  
ly 25. M.S.*

*A Remark-  
able Action,  
Aug. 18.*



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A. C.

1706.

*The Prince  
Royal of  
Prussia  
comes to the  
Army July  
16. N. S.*

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Fatigue of this Campaign, in a considerable Enterprize; and none could be greater, at this juncture, than the Siege of *Menin*, a Place which was a Key to the French Conquests in the Netherlands, on whose Fortifications the celebrated French Ingenier, Monsieur *Vauban*, had bestow'd his utmost Skill, and the Reduction whereof would both add great Reputation to the Arms of the Allies, and secure their late Acquisitions. That Siege being, upon these Considerations, resolv'd upon, part of the Forces that were to be employ'd in it, march'd the 21st of July, N. S. to *Courtray*; and the next Day General *Salish*, who was entrusted with the Command and Direction of that Enterprize, march'd with some other Troops; the whole amounting to 32 Battalions, and 25 Squadeons. The Place was invested the 23d of the same Month; but waiting for the coming up of the Artillery from *Ghent*, they did not open the Trenches till the 4th of August in the Night. The Approaches were carried on in the usual Forms, without any remarkable Occurrence till the 18th, when the Saps on the Right and Left being advanced as far as the Saliant Angles of the Counter-scarp, the Disposition was made for attacking it in the Evening. Lieutenant General *Scholts* (or *Scholten*) commanded the Attack on the Right, having under him Major-General *Pallant*, and Brigadier *Swartzell*; the Earl of *Orkney* commanded the Attack on the Left, with Major-General *de Villates*, and the Duke of *Argile* Brigadier; and at each Attack were 300 Grenadiers, as many Workmen, and a Detachment of the like Number of Fusiliers to cover them; the whole being sustained by the nine Battalions that relieved the Trenches, four on the Right, and five on the Left. The Attack began about Seven a Clock, upon a Signal of a Mine the Besiegers sprung up at each of the Angles. Their Men behaved themselves with so great Bravery, that they soon beat the Enemy out of the Cover'd-Way with great Slaughter, and made a Lodgment close to the Palisadoes. The Enemy sprung two Mines during the Attack, which did the Besiegers but little Harm; but they were expos'd to the Fire of the Ravelins, and other Works, for near two Hours before the Men could cover themselves, which occasion'd the greatest part of their

A. C.

1706

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their Loss, which was little less than 1400 kill'd or wounded. However it was as little as could be expected in so warm a Service; and the Deputies of the States, and the Generals, express'd themselves extremely well satisfied with the Gallantry of the Troops on

*The Duke of Argile distinguishes himself, and afterwards sets out for Scotland.* this Occasion. Among the rest, the Duke of *Argile* distinguish'd himself very much in this Action; and, after the Reduction of the Place, left the Camp, in order to repair to *Scotland*, where he did Her Majesty and these Nations no less considerable Service, in a Civil, than he had done before in a Military Capacity. In the mean time the Army under the Duke of *Marlborough*, continued encamp'd at *Helchin*; only the Left Wing was extended to *Lauwe* near *Menin*, in order to oppose any Attempt that might be made by the

*The Duke of Vendosme arrives at Valenciennes.*

Duke of *Vendosme*, who being arriv'd at *Valenciennes*, the 4th of *August*, was drawing together an Army, with which he threatned to relieve *Menin*. On the 16th of the same Month, Brigadier *Cadogan* being out near *Tournay*, with a few Horse to cover the Forragers, was surpriz'd and envelop'd by a Superior Number of the Enemy's Cavalry, and carried Prisoner into *Tournay*; but the 18th the Duke of *Vendosme* sent him back on his Parole; being willing to contend with the Duke of *Marlborough*, if not in the Field, at least in Generosity. On the other hand the Duke of *Marlborough* released Baron *Palavicini*, a Major-General in the *French* Service, taken at the Battle of *Rimmeliers*, by way of Exchange.

*The Siege of Menin carried on.*

The 19th of *August*, N. S. the Confederate Troops before *Menin* began two Saps in order to make a Descent into the Ditch; and work'd at the same time, upon the Batteries on the Counterscarp. The next Day, they finish'd two Batteries, one of six, the other of five Pieces of Cannon, which began to fire upon the Bastion and Ravelin the next Morning at break of Day; and two more Batteries being perfected, were ready to play the 22d in the Morning. The Duke of *Marlborough* going thither to see what Progress was made, the Governor beat a Parley;

*The Town capitulates Aug. 22. Their Demands.*

whereupon Hostages were exchange'd about 9 that Morning. The Garrison desired, among other Things, 'That they might be allow'd 4 Days from the Date of the Capitulation, to expect Succours; and that if they were not relieved in that time

time, a Gate should then be deliver'd up: That the Garrison should march out with Arms and Baggage, and all the usual Marks of Honour, should carry away with them 12 Pieces of Cannon and 4 Mortars, and should be conducted to *Lisle*: That they should be furnish'd with Waggons and Boats for their Baggage, and their Sick and Wounded; and such of them as were not in a Condition to remove, should be taken Care of in the Town at the Expence of the Allies: That none of the Garrison should be stopt for Debt, giving Notes under their Hands for what they might owe: That 12 cover'd Waggons should be allowed the Garrison, which should not be visited: That Prisoners taken on both sides should be set free: That no Enquiry should be made after any Deserters on either side: That such of the Garrison as had Estates or Effects in the Countries which were under the Obedience of the Allies, should not be molested in their Persons or Estates, and might continue in the *French* Service, and enjoy their Estates and Effects: That as many Persons might march out with the Garrison, mask'd, as the Governor should think fit: That the Guard to conduct them to *Lisle*, should consist of no more than 4 Squadrons of Horse: That the Burghers should be maintain'd in their Privileges; and those who would, might depart: That all the Generals of the Confederate Forces should sign the Capitulation; and that the Allies should not take any of their Men out of their Ranks as they march'd out, under any pretence whatsoever. In the Evening the Capitulation was concluded: The first Article they propos'd was refus'd; and it was agreed, That they should deliver up the Gates of *Bruges* the next Day, being the 23<sup>d</sup>, at 9 in the Morning: That they should march out in the Manner they desired, but should carry away with them only 4 Pieces of Cannon and 2 Mortars, and should be conducted to *Douay*: That they should be provided with Waggons and Boats: That their Sick and Wounded, who could not be removed, should be taken care of in the Town, at their own Charge: That as to the Debts of any of the Garrison, the latter should not be stopt, provided

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*The Duke  
of Argile  
takes Pos-  
session of the  
Town,  
Aug. 23.  
N. S.*

*It had been  
agreed that  
the Garri-  
son should  
march thro'  
the Breach,  
but the  
same not  
being wide  
enough,  
they  
march'd  
thro' the  
Lille Gate.*

vided they gave such Security for payment thereof, as should be accepted by their Creditors: That only eight cover'd Waggon's should be allow'd them; That the Prisoners on both sides should be set at Liberty, as desired: The Articles they demanded concerning the Deserters, the Estates of any of the Garrison continuing in the *French Service*, and Persons marching out mask'd, were rejected: The Guard to conduct them to *Douay* was agreed to be 200 Horse: What was desir'd in Favour of the Inhabitants was granted, provided those who retir'd should declare their Intention of so doing within a Month. It was agreed that the Capitulation should be sign'd by the General who commanded the Siege, as is usual in like Cases: The last Article they propos'd was refused; but it was promis'd Care should be taken to prevent any Disorder, and Justice should be done immediately upon any Complaint. In pursuance of this Capitulation, the Duke of *Argile* took Possession of one of the Gates, call'd the Gate of *Bruges*, the 23d in the Morning, with a Guard of 200 Men, and on the 25th, the Garrison, consisting of 12 Battalions of Foot, and 3 Squadrons of dismounted Dragoons, making in all about 4300 Men, march'd out with all the usual \* Marks of Honour, under a Guard of 200 Confederate Horse, who conducted them the next day to *Douay*. The same day Major General *Welder* being appointed to command in *Menin*, took Possession of the Town with five Dutch Battalions of Foot. Upon visiting the Place, the Duke of *Marlborough* found among the Artillery four Pieces of Cannon with the Arms of *England*, taken at the Battle of *Landen*, which his Grace order'd to be sent to *England*: And at the same time, gave Directions for Levelling the Approaches, and Repairing the Fortifications of *Menin*. The Loss which either Party sustain'd in this Siege, is particulariz'd in the following Letter from General *Salisch* to Monsieur *Fagel*, Secretary to the States General.

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S I R,

I Give my self the Honour to acquaint you, that the Garrison of *Menin* march'd out Yesterday Morning about 10 in the Forenoon, according to the Capitulation, making in all about 4000 Men, so that they had in this Siege, 300 Men kill'd or wounded. My Lord Duke of *Marborough*, and Monsieur the Velt Marechal d'*Auverquerque*, saw the Garrison march out, and every thing was done in good Order. As to the Loss we have sustained in this Siege, your Honour may see it in the following List. We have found in the Place 55 pieces of Brass Cannon, and 10 of Iron, besides several other pieces that were buried under Ground, 6 Mortars, 810 double Barrels of Powder, 387 double Barrels of Musquet Ball, besides a great Quantity of all other sorts of Ammunition and Provisions, of which I have not yet an exact List. The Battalions of *Heyden*, *Saxen Eysenach*, *Chambrier*, *Ufflingen* and *Floor*, are march'd into the Place, to remain there in Garrison till further Orders, I am, &c.

Signed,

*E. W. Salisch.*

From the Camp before *Menin*, August 26.

A true List of all the Wounded and Slain in the Siege of *Menin*, since the Place was invested till the Capitulation.

|                       | Killed. | Wounded. |
|-----------------------|---------|----------|
| Colonels              |         | 3        |
| Lieutenant Colonels   |         | 1        |
| Majors                |         | 4        |
| Captains              | 13      | 22       |
| Lieutenants           | 13      | 27       |
| Ensigns               | 6       | 26       |
| Serjeants             | 34      | 69       |
| Private Soldiers      | 517     | 1872     |
| Run away to the Enemy |         | 21       |

It was expected that the D. of *Vendosme*, who had assembled an Army of 155 Squadrons and 73 Battalions would have made some Motion to disturb the Progresses of the Confederate Arms; but he had the Mortification

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*Mon-  
mouth  
Sept. 1706.*

*The D. of  
Marlbo-  
rough's  
Letter to  
the States  
about the  
Surrender  
of Den-  
dermond.*

to be bare Spectator of the Siege, and Surrender of Menin, and continued quiet in his Camp behind the Deulle.

On the 29th of *August*, the Duke of *Marlborough* gave Orders for the Belieging *Dendermond* in Form; and appointed his Brother, General *Churchil*, to have the Direction of that Enterprize. Three days after, his Grace arrived in the Camp before the Place; from whence his Grace wrote the following Letter to the States General:

*High and Mighty Lords,*

I Arrived here last *Thursday* night, with Monsieur *de Goslinga*, and Monsieur *de Geldermalsen*, to hasten the Attack of this Place; and am very glad I can acquaint your High Mightinesses, that this morning about 10 a-Clock, the Garrison beat a Parley, demanding honourable Conditions; but my Brother return'd Answer, that he could grant them no other Terms, than that they should remain Prisoners of War, yet that their Baggage would be left them, provided they did declare themselves, and deliver up one of the Gates, in two Hours time. They rejected this Proposal, and the Hostages having been sent back, Orders were given to renew the Attack; whereupon the Garrison desired a further Cessation of Arms for an Hour, at the Expiration of which they surrendred, and about 5 deliver'd up the Gate of *Mechlen*. They are to march out next *Tuesday*, in order to be conducted to *Holland*.

I heartily Congratulate your High Mightinesses upon this happy Event, in which the Hand of God has visibly appear'd: It having been observ'd, that for several Years past, there has not been, in this Country, so favourable a Season for such an Enterprize. I am with entire Devotion and Respect,

*High and Mighty Lords, &c.*  
Signed

*At the Camp before  
Dendermond,  
Sept. 5. 1706.*

*The P. and D. of Marlborough.*



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The States Deputies wrote, at the same time the following Letter to their High Mightinesses.

The States  
Deputies

Letter to  
their Principals.

High and Mighty Lords,

ACcording to our Last, the Trenches were open'd, and the Batteries finish'd, so that they began to play Yesterday Morning, with so great Fury and Execution, that the Breaches, in a Redoubt, and Work that cover'd it, being wide enough this Morning, our Men carried the same by Storm, with great Bravery, and little Loss: Whereupon the Besiegers immediately desired to capitulate, and sent us Hostages for that purpose. Their Proposals having been brought to Us, and to my Lord Duke of Marlborough, whilst we were all in the Trenches to see the Assault, several Messages were sent to and fro; and the Agreement was, at last, concluded about Five this Afternoon, by which the Garrison are to remain Prisoners of War, on Condition, however, that they shall be allow'd their Swords and Baggage. And accordingly they have deliver'd up to Us the Gate of Mechlen. We shall take farther Measures with my Lord Duke of Marlborough, about the next Enterprize: And we shall wait for your High Mightinesses Orders, to know whither the Garrison shall be conducted. We have thought it our Duty to congratulate your High Mightinesses, upon this speedy and happy Success. We are,

High and Mighty Lords, &c.  
Sign'd,

From the Camp before Dendermond,  
Sept. 5, 1706.

S. H. GOSLINGA,  
A. F. BORSSELE Lord  
of GELDERMALSEN.

Thus in seven days Siege, the Confederate Troops made themselves Masters of a Place, which being strongly situated among Morasses, had formerly baffled the Army of the French King, who besieged it in Person; and which was now defended by two French Regiments of Foot, a Spanish Battalion, 700 Men drawn out of several other Regiments, and 200 Dragoons mounted. The Duke of Marlborough appointed Brigadier Meredith to command in

**A. C.** *dermond*, with a Garrison of 500 Men; besides the  
**1706.** Regiment of *Sarra-Blanca*, which was order'd to re-  
 main at *Grimberg*, under his direction, to cover the  
 Country of *Waes*.

After the Reduction of *Dendermond*, the Allies bent  
 their victorious Arms against *Aeth*, which was in-  
 vested on the 16th of *September*, by 40 Battalions and  
 30 Squadrons, under the Command of Monsieur  
*d'Auverquerque*; the Duke of *Marlborough* being en-  
 camp'd at *Gramex* to cover that Siege, and the Ene-  
 my between *Condé* and *Mortagne*. The Trenches  
 were open'd the 20th in the Night; and the Attacks  
 being carried on in the usual form, the Be-  
 siegers made a Lodgment on one of the Angles of  
 the Cover'd-way the 29th of the same Month, and  
 having carried on the Saps, which they begun that  
 Night, on the Right against the Point of the Rave-  
 lin, and on the Left against the two Points of the  
 Counterguard, within 200 Paces of each other; they  
 took Possession of that Counterguard the night be-  
 tween the last of *September*, and first of *October*; and  
 finish'd, at the same time, a new Battery on the Co-  
 ver'd-way. This oblig'd the Garrison to beat a Par-  
 ley the first of *October*, at 4 in the Afternoon; and,  
 at last, to surrender themselves Prisoners of War:  
 Of which Monsieur *d'Auverquerque* inform'd the  
 States General, by the following Letter to Mr. Se-  
 cretary *Fagel*:

*Monsieur*  
*d'Auver-*  
*querque's*  
*Letter to*  
*Mr. Secre-*  
*tary Fagel.*

S I R,

AFTER we had made our selves Masters of the  
 Cover'd-way of the Counterscarp, and  
 while I was in the Approaches about 6 a-Clock last  
 Night, the Enemy beat a Parley, and sent out two  
 Officers to demand an honourable Capitulation. I  
 signified to them that they were to hope for no o-  
 ther Terms, than to be receiv'd Prisoners of War;  
 that out of consideration for the Officers, I would  
 allow them their Swords and Baggage, and the Sol-  
 diers their Knapfacks, and gave them half an Hour's  
 Time to resolve what to do. I sent one of my  
 Adjutants with them, to know the Governor's  
 Resolution; he return'd immediately, and told me  
 the Governor would not agree to it: Whereupon  
 the Hostilities were renew'd. But to Day, towards  
 Noon,

*Queen ANNE's Reign,*

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' Noon, the Besieged having beat a Parley again,  
' and sent back the two Officers that came out to  
' treat with me last Night, one of which is a Colonel,  
' the other an Adjutant to the Duke of *Vendosme*, it  
' was agreed, after some Debate, that the Garrison  
' should surrender themselves Prisoners of War. We  
' shall take possession of a Gate to morrow, and the  
' Garrison is to march out on *Monday*. I do my self  
' the Honour to congratulate their High Mighti-  
' nesses, with all my Heart, upon the Surrender of  
' this Place. I wish, and hope, that the Almighty  
' will bless more and more the Arms of the State,  
' and its high Allies, and make them victorious.  
' My Adjutant, Lieutenant Colonel *Mortaigne*, is or-  
' dered to carry this News to their High Mighti-  
' nesses.

I remain, &c.

*October 2.*

*Auverquerque.*

P. S. The Garrison consisted of 2100 Men, of which  
500 were kill'd or wounded in the Siege. On our  
side 8 or 900 Men have been kill'd or wounded.

Three days after, Monsieur d'*Auverquerque* wrote  
the following Letter to the same :

*Another  
Letter  
from the  
same to  
the same.*

S I R,

' Yesterday the Garrison of *Aeth* march'd out as  
' Prisoners of War, consisting of 150 Offi-  
' cers, and about 600 Soldiers, besides almost 300  
' Sick and Wounded left in the Hospitals. I have  
' sent them to *Ghent*, to be imbark'd there for *Bergen-*  
' *opzoom*, where one half is to continue, and the other  
' half ordered for *Breda*, till their High Mightinesses  
' think fit to dispose of them in other Places. Ye-  
' sterday the Baggage which I had granted to the  
' Officers, was sent to *Mons* and *Condé*, and I gave  
' leave to the Prince of *Spinola*, late Governor of  
' *Aeth*, Monsieur de *St. Pierre*, Commander of the  
' *French*, Colonel *Hondetor* and Colonel *St. Valier*, to  
' go for *France* for six Weeks, upon account of their  
' private Affairs. This morning I caus'd the Troops  
' posted about this Place, to draw up upon two  
' Lines. The Enemies cause more Troops to march  
' towards *Mons*. I am, &c.

*From the Camp before.*

*Aeth, Oct. 5. 1706.*

*Auverquerque.*

A. C.  
1706.

The Duke of *Marlborough* continu'd, all this while, encamp'd at *GraMex*, to cover the Siege of *Aeth*; and the Duke of *Vendosme* contented himself to look on the Taking of that place with the same Tranquility, with which he had seen the taking of *Menin*: But being apprehensive, that the Allies might have a Design either upon *Mons* or *Charleroy*, he caused the Garrisons of those two places to be reforc'd. All the Lines that were made before *Aeth* being levell'd, the Army, which was employ'd in that Siege, made a motion the 5th of *October*, in the afternoon, and next day encamp'd with the Right at *Molley*, and the Left at *Aubre*; whereupon the *French* stretch'd out their Camp, so that their Line took up near 4 Leagues in length, the Left being at *Mor-*

The D. of  
*Marlbo-*  
*rough's*  
and Mr.  
*d'Auver-*  
*querque's*  
*Armies join*  
*again at*  
*Cambron,*  
*Oct. 13.*

*tagne*, and the Right at *Querrichin*. On the 13th of the same Month, in the morning, the Army commanded by the Duke of *Marlborough* march'd from *GraMex*, and having pass'd the *Dender* near *Leuze*, joyn'd the Army under the Command of Monsieur *d'Auverquerque*. The *French* had given out, that they would fall upon the Rear of the Allies at *Leuze*; but the necessary Precautions being taken against such an Attempt, the Enemy did not think fit to appear.

The two Armies being joyn'd, the whole came and encamped together on the Plains of *Cambron*, with the Right at *Chierre*, and the Left at *Lens*, the Head Quarters being at the Abbey of *Cambron*, within two Leagues and a half of *Mons*. This increas'd the Enemy's Apprehension for that Place; but the Season being too far advanc'd for any great Undertaking, and the Confederate Forces too much fatigu'd, the Duke of *Marlborough* having made some Motion for the Convenience of Forraging, left the Army at

The D. of  
*Marlbo-*  
*rough*  
leaves the  
Army, and  
goes to  
*Brussels*  
(Oct. 27.  
N. S.)  
where he  
makes a  
publick  
Entry.

*Ghieslenghien*, under the Command of Monsieur *d'Auverquerque*, and went to *Brussels* on the 27th of *October*, N. S. attended by Mr. *Stepney*, her Majesty's Envoy Extraordinary, and several General Officers. His Grace was met at some distance from the Town by General *Churchill*, Count *Zinzendorf*, and other Persons of Quality, with whom his Grace, at the repeated Request of the Magistrates, made his Entry on Horseback. At the *Anderlecht-Port* his Grace was receiv'd by the Burgomaster and Magistrates, who there presented him the Keys of Honour, and made him

him a very handsome Speech, expressing their Gratitude to her Majesty of *Great Britain*, and the *English* Nation, and to his Grace, the Glorious Instrument of their Deliverance. The Streets, through which his Grace passed, were filled with a great Concourse of Nobility and Gentry, and lined with the Burgers under Arms. The People made loud Acclamations, and gave all other Demonstrations of Joy; the Cannon in the mean time firing from the Ramparts; and the same Honours were paid to his Grace, as were formerly to the Dukes of *Burgundy*. His Grace alighted at the Palace of *Orange*, where he was complimented by the Council of State, the States of *Brabant*, and the Chief of the Clergy. The 28th in the morning the Magistrates waited on his Grace again in a Body, and presented him with what they call the Wine of Honour, which was brought in a Tun gilded and painted with his Grace's Arms, upon a Carriage, with Streamers, drawn by six Horses, preceded by Trumpets and Kettle-Drums, and attended by a Cavalcade of young Students on Horseback, finely cloathed, with Devices in their Hands in Honour of his Grace, and representing the great Actions of this Campaign.

His Grace having receiv'd all possible Marks of Honour and Respect from the whole City, return'd on the 31st of *October* to the Army. The 3d of *November* his Grace sent Major-General *Murray* with 4 *Scotch* Battalions, and 6 of the *Danish* Troops, towards *Courtray*, where they were order'd to continue till the Fortifications of that Town were in a Posture of Defence. Two Days after, his Grace set out for the *Hague*; and the next Day, (Nov. the 6th He sets out N. S.) the Army mov'd to *St. Quentin Lennick* in order to separate and march to their Winter-Quarters, *Hague*, which were regulated in this manner. The *English* Forces were garrison'd in *Ghent*, under the Command of General *Ingoldsby*; the *Danes* in *Bruges*; and the *Prussians* and *Lunenburghers* along the *Demer*, and between the *Maeſe* and the *Rhine*. The *Dutch* Troops were quarter'd in the following Places; under the following Generals: Monsieur *d'Auverquerque* was appointed to command in chief in the Netherlands, and to reside at *Brussels*, having under him Messieurs *Doff*, *He returns to the Army.* *He sets out for the Hague, Nov. 5. N. S.* *The Army separates, Nov. 6. N. S.* *Reparation of the Winter Quarters.*

A. C. Dops and Huelom, Lieutenants-General, and Monsieur Villates, and Prince William of Hesse-Cassel Major General; Count Tilly, General of the Horse,

1706.

was nam'd to command in *Louvain*, with Mr. *Dedem*, Lieutenant General, and the Earl of *Athlone*, Major General; Mr. *Salish*, General of the Infantry, in *Malines*, with Mr. *Domppe*, Lieutenant General, and Mr. *Coltier* Major General. The Earl of *Albermarle* commanded on the *Maese*, having under him Messieurs *Hompesch* and *Oxenstiern*, Lieutenants-General, and Messieurs *Souteland* and *La Leeg*, Major-General; Major-General *Murray* in *Courtray*, Major-General *Pallant* in *Menin*; Brigadier *Pallant* in *Aeth*, Major-General *Lauder* in *Dendermond*; Lieutenant General *Spaar* in *Ostend*, and Lieutenant-General *Fagel* in *Sluyce* and the *Dutch Flanders*. All the Brigadiers were order'd to continue with their Regiments, upon Pain of being cashier'd.

The Duke of Marlborough having embark'd at *Antwerp*, the 7th of November N. S. on board one of the Yachts belonging to the Admiralty of the *Maese*, arrived the 8th at *Rotterdam*, and the next morning at the *Hague*, attended by Count *Zinzendorf*, and Mr. *Stepney*. The latter, being recall'd from *Vienna*, where he was her Majesty's Envoy Extraordinary and Plenipotentiary, came to the *Hague* to succeed Mr. *Alexander Stanhope* in the same Character; Stanhope, the Queen having thought fit to allow Mr. *Stanhope* to quit that publick Station, which he was no longer able to discharge to his own Satisfaction, by Reason of his advanc'd Age, and infirm Health. The Duke of Marlborough having receiv'd the Complements of the States, foreign Ministers and other Persons of Distinction, on his wonderful and glorious Campaign, his Grace had several Conferences with the Deputies of the States, wherein among other Things, it was agreed, That the Steps France had made towards a Peace, should be communicated to the Ministers of the Allies, in order to remove all suspicions of clandestine Negotiations, and encourage the several Members of the Grand Alliance, to redouble their Efforts against the next Campaign. Accordingly, the States having desired the Ministers of the Allies, residing at the *Hague*, to be present the 21st of November, at an extraordinary Congress

The D. of Marlborough arrives at the Hague, Nov. 9. N. S. Mr. Stepney succeeds Mr. Stanhope as Envoy Extraordinary and Plenipotentiary.

A Congress of the Ministers of the Allies at the Hague, wherein the Steps made by France towards a Peace are communicated, Nov. 21. N. S.

gress their Deputies for Foreign Affairs made a Notification to them that gave them great Satisfaction. They own'd that *France* had formerly, by some private Persons made general Intimations of their Willingness to treat of Peace; and that, last Winter, the Marquis d'Aligre had presented to the States a formal Memorial on the same Subject, the Substance of which was read to the Congress: That they had given no Ear to these Advances, nor communicated them to the Allies, because they did not judge them worth Imparting to them. But, That in October past the Elector of *Bavaria* had written a Letter to the Duke of *Marlborough*, and another to the Field-Deputies of the States: Which two Letters, and the Answers that had been return'd to them, were also communicated to the Congress, and are as follows,

A Letter from the Elector of *Bavaria*, to the Prince and Duke of *Marlborough*.

The Elector  
of *Bavaria*'s Letter to the  
Duke of  
*Marlborough*.

THE Most Christian King, Sir, finding that some Overtures of Peace, which he had caus'd to be made in a private manner, instead of producing the Effect of making known his Dispositions towards procuring a General Peace, have been look'd upon, by ill-designing Persons, as an Artifice to dis-unite the Allies, and make an Advantage of the Misunderstanding that might be created among them; has resolv'd to shew the Sincerity of his Intentions, by renouncing all secret Negotiations, and openly proposing Conferences, in which means may be found for re-establishing the Tranquillity of Europe.

The most Christian King is pleas'd to charge me to inform you of this, and to desire you to acquaint the Queen of England with it.

I give the like Notification, on the Part of the most Christian King, to the States General, by a Letter that I have written to their Field-Deputies; and he would do the like with Regard to the other Potentates that are at War with him, had they Ministers near at hand, as you are, to receive the like Intimation; he having no Design to exclude any of the said Potentates from the Negotiation that shall be begun in the Conferences he proposes. Moreover, for advancing a Good so great and necessary to Europe, which has too long suffer'd the inevitable Calamities

A. C.  
1706.

*mities of War, he consents that a Place may forthwith be chosen between the two Armies, and after their being separated, between Mons and Brussels, in which you, Sir, with whom the Interests of England are so safely entrusted, the Deputies which the States shall please to nominate, and the Persons whom the King of France shall empower, may begin to treat upon so important an Affair.*

*I am extremely pleas'd, Sir, to have such an Occasion to write you this Letter, being perswaded it will leave no room to doubt of the Sentiments of his most Christian Majesty, which may be so beneficial to all Europe.*

*You will be glad to give an Account of it to the Queen of England, without Loss of Time, and to whomsoever else you shall think fit: I shall expect your Answer, Sir, to acquaint the most Christian King with it; and shall be always ready, Sir, to do you Service.*

Mons, Oct. 21: 1706. Sign'd, M. Emanuel, Elector.

The D. of  
Marlbo-  
rough's  
Answer.

The Answer from the Duke of Marlborough to the Elector of Bavaria.

SIR,

**H**AVING communicated to the Queen, my Mistress, what your Electoral Highness did me the Honour to write to me in your Letter of the 21st of last Month, of the Intention of the most Christian King to endeavour to re-establish the Tranquillity of Europe, by Conferences to be held for that Purpose between Deputies on both sides; her Majesty has commanded me to answer your Electoral Highness, That as She has receiv'd with Pleasure this Notice of the King's Inclination to agree to the making of a solid and lasting Peace with all the Allies, being the sole End that oblig'd her Majesty to continue this War till now; so She will be very glad to conclude it in concert with all Her Allies, on such Conditions as may secure them from all Apprehensions of being forc'd to take up Arms again after a short Interval, as has so lately happen'd. Her Majesty is also willing I should declare, That She is ready to enter jointly with all the High Allies into just and necessary Measures for attaining to such a Peace, Her Majesty being resolv'd not to enter upon any Negotiation without the Participation of Her said Allies: But the Way of Conferences that is propos'd, without more particular Declarations on the Part of His most Christian Majesty, does not seem to Her to be proper for obtaining a truly solid and lasting Peace. The States General are of the same Opinion:



pinion: Wherefore your Electoral Highness will rightly judge, that other more solid means must be thought on to attain so great an End, to which Her Majesty will contribute with all the Sincerity that can be wish'd, having nothing so much at Heart as the Relief of Her Subjects, and the Tranquillity of Europe. Your Electoral Highness will always do me the Justice to be perswaded of the Respect with which I have the Honour to be, &c.

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Hague, Nov. 20. 1706.

A Letter from the Elector of Bavaria to the Field-Deputies of the States.

The Elector

I Doubt not, Gentlemen, but you are inform'd of the Dispositions which the most Christian King has intimated for a Year past, by different Ways, according as Opportunities have offer'd, to put an End to the War which for several Years has afflicted the greatest Part of Europe. The most Christian King has done this with a sincere Intention to forward the Conclusion of a solid and lasting Peace. In the mean time the Persons who acted herein having done it secretly, because they were not authoriz'd to act otherwise, those who are not inclin'd to Peace have misinterpreted these first Proceedings, and represented them as a Design formed to separate the States General from the Allies, in order afterwards to make an Advantage of their Disunion. Such a Design is too much contrary to his most Christian Majesty's real Intentions, to suffer them to be any longer suspected: Wherefore he has determined to propose, that Conferences may forthwith be open'd, in which those whom he shall empower may, together with those who shall be empowered by the Queen of England, and the States General, seek the means of concluding a lasting Peace. He has caus'd the same Declaration to be made to the Duke of Marlborough by a Person of Trust, to whom I have explain'd his Sentiments, that he may inform his Grace: And 'tis with Pleasure I discharge the Commission he has given me to tell you, Gentlemen, that being perswaded of your good Will to contribute to so great a Good, he would be very glad that the States General should empower you to assist at the Conferences propos'd, which he consents may be held in such Place as shall be judg'd convenient, between the two Armies for the Time they keep the Field, and afterwards between Brussels and Mons. I desire you to inform the States General of these Dispositions of the most Christian King,

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to which I hope theirs will be conformable, for the Quiet and Good of Christendom. I expect their Answer by you; and am, Gentlemen, wholly yours.

Mons, Oct. 21. 1706. Sign'd M. Emanuel Elector,

The States  
Deputies  
Answer.

Answer to the Elector of Bavaria's Letter, by the Deputies of their High Mightinesses.

My Lord,

**Y**our Electoral Highness having done us the Honour to acquaint us, by your Letter of the 21<sup>st</sup> of October last, with the Intentions of his Most Christian Majesty to forward the Conclusion of a solid and lasting Peace, by proposing the sending of Deputies on both Sides to some Place between the two Armies, or after their being separated, between Mons and Brussels, to enter upon Conferences on so important a Subject; we did not fail to impart it immediately to the States General. Your Electoral Highness having made the same Overture to the Prince and Duke of Marlborough, their High Mightinesses did not think fit we should return you an Answer before the said Prince and Duke had his Answer from England: This is the Reason why we have not done it sooner. At present their High Mightinesses have order'd us to acquaint your Electoral Highness, that they have receiv'd with great Pleasure the Assurances you give them of the sincere Desire of his Most Christian Majesty to seek Means to attain, as soon as may be, to a solid and lasting Peace with all the Allies. 'Tis just such a Peace that they wish for and desire. All who know the Inclinations and Interests of their Republick will easily agree to this: Nor would this State ever have enter'd into the War, could they have maintain'd the Peace with some Security. Your Electoral Highness knows with how much Care and Sincerity their High Mightinesses have labour'd for that Purpose; but as those Efforts proving useles, they were constrain'd to take Arms, together with their High Allies, for the Defence of their Liberty and the Publick Safety; so they will be very glad to lay them down, as soon as possible, when they can do it to the Satisfaction of all their Allies, and on such Conditions as may give reasonable Grounds to hope, they shall not be obliged to take them up again after a short Interval of Time, of which the Examples and short Continuance of former Treaties of Peace make them apprehensive. In the mean time their High Mightinesses are ready to enter, jointly with their Allies, into

## Queen ANNE's Reign.

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into all just and necessary Ways that may lead to a general Peace: But that of the Conferences propos'd, without a more particular Declaration of his most Christian Majesty's Intentions, does not appear to them to be proper for the End propos'd; nor has it appeared to be so to Her Majesty the Queen of Great Britain, no such sufficient Overture having yet been made to them, as they could think ought to be communicated to their Allies, well knowing they would find no Satisfaction therein. Wherefore more proper means must be thought of for attaining this great End, in which their High Mightinesses will concur when they shall see a better prospect of it; the Sincerity of their Desires of Peace being sufficiently known. We have the Honour to acquaint your Electoral Highness with their Sentiments, and to assure you, that we are, with very much Respect,

My Lord,

Your Electoral Highness's most  
humble and most obedient Servants,

Hague,  
Nov. 19. 1706.

Sign'd, Ferdinand van Collen.  
Cuper.

After the Reading of these Pieces, the Deputies of the States made a Speech to the Congress, pursuant to the Instructions contain'd at large in the following Paper:

*An Extract of the Resolution of their High Mightinesses the States General of the United Provinces of the Netherlands.*

*Resolutions  
of the States  
General about the  
Proposals of  
Peace made  
by France.*

Friday, Nov. 19. 1706.

‘**M**essieurs Tullocken and others, Deputies of their High Mightinesses for Foreign Affairs, reported to the Assembly, That Messieurs Van Collen and Cuper, two of their High Mightinesses Field-Deputies, did in a Letter directed to the Register Bagel, dated the 24th of October last, send one from the Elector of Bavaria, dated the 21st of the same Month, written to their High Mightinesses Field-Deputies, and delivered to the said Messieurs Van Collen and Cuper, who only were then with the Army; by which Letter the Elector of Bavaria proposes, in the Name of the most Christian King, the holding of Conferences in some Place

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Place between the Two Camps, or between *Mons* and *Brussels*, to treat of a Peace with this State, and its Allies: That they the said Deputies for Foreign Affairs, having had the Letter communicated to them, judged it for the Good of the State and of the Common-Cause, to keep this Affair secret till the Arrival of the Prince and Duke of *Marlborough*, who was expected here in few Days; considering that he had received a Letter much to the same Effect from the said Elector: That the said Prince and Duke being arrived here, they, the said Deputies, had discoursed and concerted with him, and thereupon drawn up in Writing a Form of an Answer that might be given to the said Letter of the Elector of *Bavaria*, by Messieurs *Van Collen* and *Cuper*, who had received it; which Draught being approved by their High Mightinesses, the said Prince and Duke would answer, on the same foot, on the Part of Her Majesty of *Great Britain*; which Letter of the Elector of *Bavaria*; and the said Draught of the Answer, are inserted at the End of this Resolution, being numbred 1. and 2.

Which matter being taken into Consideration, their High Mightinesses thank'd the said Deputies for their good Conduct in this Affair; besides which it was thought good by these Presents to approve the Draught of an Answer subjoin'd, and to require and authorize the said Sieurs *Van Collen* and *Cuper* to write and sign it in the same Terms; after which it shall be sent to the Field-Marshal, Monsieur *d'Auverquerque*, that he may send it forward by a Trumpeter to the Elector of *Bavaria*.

That moreover both these said Letters from the Elector of *Bavaria* and the said Answer shall be made known and communicated to the Ministers of the High Allies that are Members of the Grand Alliance, to whom it shall be represented, That their High Mightinesses being firmly resolved to observe their Alliances in every Part, and to do nothing that may be contrary thereto, accordingly would not be wanting to lay before them the Propositions that have been made to them, and what they have resolved thereupon: That a Peace would be extremely agreeable to their High Mightinesses

tinesses, and, without doubt, to all the other High Allies, provided it can be had on such Terms as may reasonably promise its being firm and lasting; but that the Conferences proposed, without a more particular Declaration of the Intention of *France*, and without a probable Certainty or Appearance of good Success, does not seem to their High Mightinesses to be a proper Means for attaining it, but much rather a Means, by such Conferences about a Peace, to divert the Thoughts of War, and of the great Preparations the Enemy make, and to lull some of the Allies asleep by the Hope of Peace: That their High Mightinesses, for their own Parts, are resolved to abide by the Measures they have taken, and the Alliances they have made, which God has hitherto so wonderfully blessed, and to execute and observe sincerely what was stipulated and promised by the Treaties, and therefore not to enter into any Negotiation of Peace, but jointly with their High Allies, and to communicate to them faithfully, conformably to the said Treaties, the Proposals that may be made to them on this Subject, expecting that the said High Allies will do no less on their Part: And Monsieur *Tulleken*, and the other Deputies of their High Mightinesses for Foreign Affairs, are required and commissioned by these Presents to enter into Conference with the said Ministers on this Subject, and to make their Report to this Assembly.

Signed, J. V. Welderen.

It agrees with the said Register,

Signed, F. Fagell.

The Duke of Marlborough having settled several other important Affairs with the States, particularly the continuing the *Hessian* Troops in *Italy*, pursuant to the Desire of the Duke of *Savoy*, his Grace sail'd from the *Maese* the 26th of November, N. S. being attended by several of Her Majesty's Yatches and Men of War; landed at *Margate* the next Day, and two Days after came to *London*.

The Raising of the Siege of *Barcelona*; the Loss of the Battle of *Rammels*, and the dismal Consequences that attended it, together with the great Streights to which the *French* King's Treasury was reduced.

The Duke of Marlborough arrives at London, Nov. 18. O. S.

Reasons why the French King sued for Peace.

A. C. reduced, and which were but ill Remedied by forcing and imposing *Mint-Bills* upon the Nation; instead of ready Money: All this, I

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Affairs of  
Italy.

I say, did certainly cast the Court of *France* into great Consternation and Perplexity: But what encreased their Disorder, and forc'd their haughty Monarch, at this Time, to make publick Advances towards a Peace, was the total Defeat the Duke of *Savoy*, and Prince *Eugene* had lately given to his Forces, before the Walls of *Turin*; which changed entirely the Face of Affairs in *Italy*. Prince *Eugene*, judging his Presence to be absolutely necessary at the Imperial Court, in order to obtain Supplies of Men and Money, (as we mention'd in our last Year's \* Annals) set out for *Vienna* about the middle of *February*, 1706. leaving the Imperial Army under the Command of General *Reventlau*. The Duke of *Vendosme* went about the same Time to the Court of *France*; but having quickly dispatch'd his Business there, he set out from *Paris*, on his Return to *Italy*, the 15th of *March*, N. S. arriv'd the 23d at *Chivas*, and having concerted Measures with the Duke of *la Feuillade*, for the intended Siege of *Turin*, proceeded to *Milan*, and form'd a Project to surprize the Imperialists, which was executed with great Expedition, Secrecy and Success. We shall insert here the Accounts given by both Parties of this Action, that we may not be thought partial to either: The *French* relate the same in this manner:

**French** 'The Army being Assembled the 18th of *April*,  
*Account of* 'N. S. at *Cestiglione*, the Duke of *Vendosme* march'd  
*the Fight at* 'at Midnight towards the *Canal*, that goes from  
*Calcinato* ' *Lonato* to *Montechiaro*. The 19th, at break of Day,  
*April 19.* ' he caus'd a Guard of 60 Horse to be attack'd,  
*N. S.* ' who were oblig'd to repass that *Canal*. A Dra-  
goon who was taken Prisoner, inform'd him, that  
the Enemy to the number of 3000 Horse, and 1000  
Foot were encamp'd with their Right at *Montechi-*  
*aro*, and their Left at *Calcinato*, but that they had  
no Notice of his March. That Post being cover'd  
by several Canals and Ditches, he resolv'd to ad-  
vance towards the Bridge of *S. Marc*, on the *Chiesà*,  
to cut off their Way to *Gavardo*, and fight them,  
on a less advantageous Ground. In order to that,  
he

he left 100 Foot near the Enemies Left-Wing, with whom they skirmish'd above an Hour to amuse them. In the mean time he pass'd the Troops over the Canal with all diligence, and made divers Passages over a Ditch full of Water, which they were obliged to go over to enter the Plain. But it being broad Day, the Enemy perceiv'd that 200 Horse were advancing to gain a great Eminence, adjoining to the Village of *Calcinato*; whereupon they caus'd their Horse to march, who drew up in order of Battle upon that Eminence. In the mean time, the greatest part of the Infantry, 2 Brigades of Cavalry, and the 5 Regiments of Dragoons, having pass'd the Canal, the Duke of *Vendosme* resolv'd to attack the Enemy, that their Infantry, which was about *Montechiaro*, 3 Miles from thence, might not have time to come up. He therefore order'd the Troops to pass the Ditch and advance, which was executed with so much Diligence, that in less than an Hour they were in order of Battle, at the Foot of the Eminence; and within Pistol Shot of the Enemy, on two Lines of Horse, and two of Foot. At the same Instant, 8 of the Enemies Battalions arrived and posted themselves near their Horse, which made the Duke of *Vendosme* fully resolve to attack them, without staying for the rest of the Army, that the Remainder of the Enemies Forces might not have time to come up. The Troops march'd on with extraordinary Ardor, and yet in very good order, notwithstanding 3 Ditches they had to pass obliged them to break three times, and form themselves again as often. They sustained, at half Pistol Shot, the Enemies Discharge without firing a Piece, as the Duke of *Vendosme* had order'd it, and charg'd the Enemy with their Bayonets in the Muzzels of their Pieces, so that their Foot were broke with part of their Horse. The Brigade of the Collonel-General, commanded by the *Sieur de Cappy*, Brigadier, and by the Count *de Clastecomorand*. got up a very difficult Way, and defeated the whole Right Wing of their Horse. The Infantry was closely supported by the Dragoons; commanded by the *Sieur des Roscaux*, and by the *Marquis du Heron*, who was shot thro' the Body, at the latter end of the Action, as he was charging

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the Infantry that retreated. The Marquis de Saint Germain Beaupré, and the Marquis de Belabre were likewise wounded, having extreamly signalized themselves, as well as the Marquis de Belliste, Count Scipio Boselli, and the Sieur de Cocole, who commanded the Regiment of Verac. Count Medavy, who commanded the Right of the first Line, caused the Enemies Left to be attacked in Flank by the Brigade of Limosin, who made a great Slaughter of them, which contributed very much to the Winning of the Battle. Some Squadrons that were ordered to attack the Rear of the Enemies Left, were charged by 500 Horse, who put them into Disorder; but this was soon repaired by some Squadrons sent that way by the Duke of Vendosme, and by the Brigade of Perche, who obliged the Enemy to fly to the Bridge of St. Marc. The Horse pursued them so close, that General Falkenstein was taken, and not 60 Men of that Party escaped. The Enemy were still in Possession of Calcinato, and had Entrenchments at the end of the Bridge, by favour of which their Troops passed the Chiesà, and retired towards Rezato. The Duke of Vendosme commanded Count Albergotti to march with all the Horse, and part of the Foot, to join the Marquis de Mursay, and the Chevalier de Broglio, in order to pass the Bridge of St. Marc, and endeavour to cut off the Run-aways. At the same time, he caused the Baron d'Estrick to attack some Houses at Calcinato, with the Brigade of Grancey, which he executed with so much Vigour, that he not only made himself very quickly Master of them; but also of all the Village and Castle: So that being Master of the Bridge of Calcinato, he passed his Troops over it, whilst the rest of the Army marched over the Bridge of St. Marc. The Brigade of Vendosme, which passed first, possessed themselves of some Houses that were on the other Side; but were soon after surrounded by the Enemy, who were passed over the Bridge of Calcinato, and at several Fords, so that they were obliged to retire; and even a Captain was taken with 50 Men, but they were soon released by Count Albergotti, who defeated almost all that was left of the Enemies Foot, pursuing them as far as Rezato, not:



notwithstanding the Difficulties of the Ground. In this last Action, to the Success whereof the Count de Bissy, the Marquis d'Estrades, my Lord Galmoy, and the Sieur de Forsar, contributed very much, not being able to come sooner up with the Troops they commanded, the Enemy had above 2500 Men kill'd or taken. Thus ended the Battle of Calcinato, in which the Imperialists had above 3000 Men kill'd, and the like number made Prisoners. We took from them 6 Pieces of Cannon, abundance of Baggage, above 1000 Horses, 24 Colours, and 12 Standards, the King's Troops having suffer'd no other Loss than 500 killed and wounded.

On the other hand the Imperialists gave the following Account of the same Action :

THE Duke of Vendosme being arrived in the <sup>The Account of the Imperialists of the same Action.</sup> Mantuan, and having given Orders to the French Forces to be in a readiness to march, Count Reventlau, and the other Imperial Generals, held a Council of War, wherein it was resolved to assemble all their Troops on the Chiesà, between Montechiari and Calcinato, it being not doubted, but that the Duke of Vendosme design'd to attack their Quarters before the Arrival of Prince Eugene, and the Reinforcements expected from Germany. Those Troops march'd with all possible diligence, and the 17th encamp'd between Montechiari and Calcinato, to the number of 9000 Foot, and 3000 Horse, with some Field-Pieces, the rest of their Artillery being at Gavardo. The Duke of Vendosme having timely notice of their motions, sent a Detachment the 17th to observe the Imperialists, with whom they skirmish'd all the day, and the 18th, in the evening, march'd with 55 Battalions, and 66 Squadrons, with all possible Secrecy, and in the night possess'd himself of the Hills about Calcinato, and the 19th in the morning, attacked the Imperial Cavalry with a great deal of Fury. The Germans behaved themselves very well, and beat back the first Squadrons of the French, but being separated from their Foot, which could not come up time enough to support them, they were obliged to yield to the Numbers of the Enemy, and retire to the Chiesà,

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1706.Prince Eugene  
arrives in  
Italy.

Chiesa, and pass'd that River over the Bridge of S. Marc. They attack'd afterwards the Infantry, who made a noble Defence, but was likewise obliged to retire towards Gavarado and Salo. The Enemy having pursued them, cut off the Communication between our Troops and Montechiari and Calcinato; whereupon Colonel Arend, who commanded in the first, marched out with his Garrison, and fought his way through the Enemy, retiring to Gavarado. The Garrison of Calcinato, consisting for the most part of Prussians, defended themselves to the last extremity, and were almost all cut in Pieces. Prince Eugene, who was arrived some days before at Roveredo, being inform'd of this Action, repair'd the same Evening to Gavarado with all possible speed, and sent Orders to two Palatine Regiments at Bidizoli to march to Salo, and having rallied his Troops, encamp'd between Gavarado and Limono, where he was join'd the 20th by some other Prussians, and Recruits. His Highness sent Orders to some others Troops in the Trentin to join him, and withdrew some Batallions from some Posts in the Brescian, where they were too much expos'd to the Insults of the French. The Loss the Germans sustain'd is variously reported, as well as that of the French; but we may say in general, that the Action was very bloody, and that the number of the Slain is pretty equal on both sides, tho' it must be own'd, that the French have taken a great number of Prisoners, with several Pieces of Cannon, and forc'd the Imperialists from their Posts. A great many Soldiers, who were suppos'd to be kill'd, or taken, are return'd to their Regiments, and after a strict Review, there are but 2000 Men missing. General Valkenstein, the Count de Vehlen, and several other Officers were taken Prisoners, and the Generals Visconti and Grimaldi Wounded; of the French, the Marquis de St. Germain Beaupré, du Heron, Belabre, and some other General Officers are said to be Wounded. The Prussians distinguish'd themselves very much in this Action.

Though these Relations differ in several Circumstances, yet they agree in this, that the Germans lost the Day. The Duke of Vendesme improving this Advantage, oblig'd them to abandon Gavarado, Salo, and

and all their Posts in the *Bréscian*; from whence Prince *Eugene* took care, however, to send the Artillery and Ammunition to *Riva*, and retir'd that way with his Infantry: The Cavalry making their Retreat along the *Chiesa*, by the Valley of *Sabio*, or *Rocca d'Anso*. The Duke of *Vendosme* endeavour'd to fall on the Rear of the Imperialists, but found it too difficult. Yet, 'tis to be observ'd, that the *Germans* not having time to send away all their Artillery, threw some Pieces into the *Lake de Garda*.

The Court of *France* was so elevated upon this Success, that their Monarch wrote the following pompous Letter to the Archbishop of *Paris*, to cause *Te Deum* to be sung:

Cousin,

The

I Could not have hop'd for a more happy and signal Success at the beginning of this Campaign, than that with which my Cousin the Duke of *Vendosme* has open'd it in *Italy*. The Victory he has gain'd was so soon after his Return to the Army, that the Enemy, who were intrench'd between *Montechiaro* and *Calcinato*, were not inform'd of his Arrival, but by their Defeat. The advantageous Post they were in, seem'd to secure them from any Attack, and 'tis almost incredible they could be forc'd in it: But the Experience of the Duke of *Vendosme*, the Valour of my Soldiers, and the just Confidence they have in him, have surmounted all Obstacles. After having been oblig'd to break their Order of Battle, and form it anew several Times under a continual Fire, to get over several Ditches and Canals, to come at the rising Grounds where the Enemy were intrench'd; they sustain'd their last Discharge within half Pistol-shot, without firing one Shot, and afterwards Sword in Hand, forc'd them in their Posts. The Enemy making a vigorous Resistance, their Loss was very considerable. Above 3000 of them fell in the Field of Battle, above 3000 were made Prisoners; 6 Pieces of Cannon, above 1000 Horses, 25 Colours, and 12 Standards were taken. The Duke of *Vendosme* making the best Use of his Victory, and their Consternation, march'd without Loss of time to *Salò* and *Gavardo*, where was the rest of their Army.

French King's Letter to the Archbishop of Paris.

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my: But at his Approach they betook themselves to Flight, with so great Precipitation, towards the Mountains of the *Trentin*, that in the general Rout they abandon'd their Arms and Baggage, and threw 4 of their heaviest Pieces of Cannon into the Lake of *Garda*. So compleat a Victory, is the more pleasing to me, because I have lost but very few Officers and Soldiers; and is the more advantageous, because the Enemy having now no other Posts than those they had on the *Adige* when they entred *Italy* 5 Years ago, the Duke of *Vendosme* is in a Condition to execute with like Success, the other Projects that I have form'd. I would not defer returning Thanks to God for so glorious an Occurrence, and I write you this Letter, to tell you my Intention is; that you cause *Te Deum* to be sung in the Metropolitan Church of my good City of *Paris*, &c. *Versailles*, May 4. 1706.

Advances  
towards the  
Siege of  
Turin.

Whilst the Duke of *Vendosme* took Measures to keep the *Germans* at a Bay, by casting up great Intrenchments all along the *Adige*, the Duke of *la Feuillade* made vast Preparations for the Siege of *Turin*; and having appointed *Montanaro* for the Rendezvous of all his Troops, which were quarter'd in the *Montferrat*, *Mantuan*, and neighbouring Country, about 40 Battalions, and 12 Regiments of Horse and Dragoons, arriv'd the 8th of May, N. S. near that City, and encamp'd there till the 10th. Upon intelligence of the Enemy's Motions, the Duke of *Savoy*, who had resolv'd to defend his Capital to the last Extremity, and in order to that, had, with wonderful Diligence and Application, added new Works to its Fortifications, sent General *Daun* (or *Thaun*) to *Asti*, to order all the *Germans*, and other Troops in Garrison there to march to *Turin*, leaving only a Lieutenant Colonel with 200 Men in the Castle, and 2 Battalions of Militia, with about 30 Hussars to guard the Out-works of the Town. At the same time, his Royal Highness order'd the *German* Horse to encamp at *St. Michael*, and his own Horse at *Alpignian*: and Directions were also sent to several other small Garrisons to come to *Turin*. The 10th and 11th, the Enemy march'd from *Montanaro*, passing the Rivers of *Orco* and *Malone*, to *Ciria*, on the Banks of the

the *Stura*, where they made a Bridge; and the next Day passed that River, and encamp'd at *Druint*. The Troops which were on their March from *Asti* receiv'd Orders to stop at *Quiéri*; but the Train of Artillery came streight to *Turin*. Five *Piedmontese* Battalions of that Garrison, were order'd to take Post in the new Redoubts on the Mountain of *Turin*, to prevent any Surprise, and, at the same time, Orders were given to provide those Works with Cannon. The 13th, the Enemy march'd from *Druint*, and came within sight of *Turin*, their Army extending from *Lucento* to the Lodge of the Old Park near the *Po*. Hereupon, his Royal Highness got on Horseback, visited the several Posts about the Place, and ordered several Houses on the *Doria*, within Cannon-shot of the Citadel, to be pulled down. He gave Directions for posting some Guards, for placing the Cannon upon the Ramparts, and for the Troops which were at *Quiéri*, to come to *Turin*: In short, he forgot nothing which might contribute to the Defence of the City. The 14th, his Royal Highness was on Horseback by 5 of the Clock in the morning, to view the Enemy's Camp, and observe their Situation as well as the Works which they were making. He had not been long abroad before he perceiv'd a strong Detachment of Horse and Foot in Motion, and that they directed their March along the *Doria*, towards *Pianezza*. His Royal Highness left an Adjutant to observe their March, and continued to view their Camp, and to visit several Posts along the *Doria*. About Noon the Adjutant brought Word, That the Detachment had join'd 15 Battalions which came from *Suza*, under the Command of *M. Givodan*, between *Alpignian* and *Pianezza*, and that the whole was Encamped between *Pianezza* and *Lucento*; That they had posted a strong Guard, with some Cannon, in the Castle of *Pianezza*; and that they had begun to work on a Redoubt to cover their Workmen, who were order'd to make a Bridge in that Place over the *Doria*. The Duke of *Savoy's* Parties that were on the other side, disturb'd the Enemies Pioneers very much; but nevertheless they carried on their Line and Redoubts, from the *Po* to the *Doria*, in the same Places as they were the Year before. The same Day the German Infantry arriv'd

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arriv'd at *Turin* from *Quieri*, and was posted in the Redoubts on the other side of the *Po*. At the same time, the *German* Horse march'd from *St. Michael* near to *Quieri*, and the next day came to *Montcalier*. A Regiment of Foot arriv'd there also from the Vallies of *Lucerne*, and a Bridge was order'd to be made there over the *Po*. The 16th the Baron de *Regal*, General of *Battalia*, having by the Duke of *Savoy's* Orders, got four Field-Pieces ready on the other side of the *Po*, began by break of Day, to fire upon the Enemy, and continued near an Hour with such Success, that he put the Enemy into great Confusion, and kill'd several of their Men. His Royal Highness was the same Day early on Horse-back, and went to *Colin*, to see if it were possible to hinder the Enemy's Passing the *Doria*; but finding it too hazardous to dispute the Passage, he sent Orders to the Imperialists who were encamp'd at *Montcalier*, to march to *Colin*, and to keep in those Parts as long as possible, as well to destroy the Forrage, as to favour the Bringing in Stores of Provisions into *Turin*.

On the 21st of *May*, the Duke of *la Feuillade* pass'd the *Doria*, with his Army over 3 Bridges, having left 15 Battalions extended from the Old Park to *Lucento*, to guard his Lines and Redoubts: Whereupon his Royal Highness caus'd his Horse to draw nearer *Turin* to the Bridge of the *Stura*. The 22d at Day-break, the Enemy drew out into Order of Battle, with design to attack the Duke of *Savoy's* Cavalry; but the Odds being too great, his Royal Highness order'd them to retire still nearer the City; so that there pass'd only some Skirmishes between some of the Enemies Squadrons and the advanc'd Guards. The \* next day the Duke of *Savoy's* Horse pass'd the *Po*, and march'd in good order towards *Montcalier*, notwithstanding they were pursued by a Detachment of Grenadiers and Carabiniers. The same Day the Enemy's Army, extended themselves further, taking up the Ground from the *Doria* to the *Po*, within Cannon-shot of *Turin*, three Parts in four of which was thereby invested. The same Night they began their Lines of Circumvallation and Contravallation, and made a shew as if they would advance by a Trench to the *Po*, behind the Park of  
the

\* May 23.

*Turin* in-  
vested May  
23.

the *Valentine*, there to lay a Bridge: Whereupon his Royal Highness order'd a Battery of thirty Cannon to be made in that Place; and the 24th at Day-break, four Pieces of that Battery began to fire upon the Workmen, and on 2000 Men that cover'd them, which oblig'd them to quit their Work, and retire with Loss. The 25th in the Morning 16 Cannon of the same Battery play'd upon the Right Wing of the Enemy's Army, which, after having sustain'd the Fire, some time, was oblig'd to decamp, and march to a further Distance from the Po. By this time, the *French Army*, was given out to consist of 66 Battalions, and 88 Squadrons; and the Troops in *Turin*, were reckon'd to amount to about 10000 Foot, and 5000 Horse.

The Raising of the Siege of *Barcelona* gave a notable Check to the Exultation and Confidence of the Court of *France* upon their pretended great Victory at *Calcinato*; and made them apprehensive that the Siege of *Turin* might be attended with no better Success. Hereupon they resolv'd to tamper with the Duke of *Savoy*, and endeavour to perswade him to forsake his Allies, by an Offer of the Government of the *Milanese* for his Life, and of several Millions of Livres for repairing his fortified Places that had been demolish'd: Which Offer, according to the *French King's* Orders, the Duke of *la Feuillade* made to his Royal Highness on the 25th of May. But the Duke of *Savoy*, having about a Fortnight † before receiv'd Letters from Prince *Eugene*, with a full Account of the Action of *Calcinato*, which the *French* had notoriously misrepresented; and which Prince *Eugene* assur'd him, would cause no Alteration in the Projects that had been concerted to assist his Royal Highness; who had likewise receiv'd \* certain Information of the Raising of the Siege of *Barcelona*, and of Count *Which his* *Toulouse's* Return to *Toulon*, with the *French Fleet*, in *Royal High-* great Disorder: His Royal Highness, I say, rejected that alluring Offer, and declared his Resolution firmly to adhere to the Interest of his Allies. Hereupon the Duke of *la Feuillade* caus'd the Lines of Circumvallation and Contravallation to be carried on; and the latter being finish'd by the 30th of May, N. S. and the other the 2d of June, the Trenches were open'd the same Night, both against

Large Of-  
fers made  
to the Duke  
of Savoy,  
May 25.  
† May 10.

May 19.  
N. S.  
Which his  
Royal High-  
ness reject-  
The Tren-  
ches open'd  
before Tu-  
rin, the  
Night be-  
tween the  
2d and 3d  
of June,  
the N. S.

A. C. 1706. the Town and Citadel. His Royal Highness having the next day view'd the Enemies Works, order'd the Guards in the Citadel, and at the Gate of *Suza*, to be doubled; and gave other necessary Directions for the Defence of the Place: The Marquis *de Lusinge*, Governor of *Turin*, being Old and Infirm, and not in a condition to do Service, his Royal Highness bestow'd his Place on the Marquis *de Carnet* who had some Months before distinguish'd himself in the Defence of the Town of *Nice*, of which he was Governor.

The Duke of *Anjou's* inglorious Retreat from *Catalonia*, having soon been followed by the entire Defeat of the Army of the Two Crowns in *Brabant*, all sound States-men expected, That the French King would have caus'd the Operations against the Duke of *Savoy* to be suspended, that he might the better prevent the Consequences of those two Signal Disgraces. But such was the Inveteracy of that Monarch against his Royal Highness, that, contrary to the Rules of true Policy, the Duke of *la Feuillade* \* receiv'd Orders to carry on the Siege of *Turin* by the same Express, that brought him Advice of the Duke of *Marlborough's* Victory, of which the Duke of *Savoy* had Intelligence the 5th of June, N: S. the Day after the Arrival of that Express. The 6th his Royal Highness gave Orders for the planting of 60 Pieces of Cannon on the Bastion *de la Consolave*, near the Citadel, and upon some other Works. The 7th in the Afternoon, the Duke *de la Feuillade* sent Monsieur *de Marignan*, his Quartermaster General, with a Trumpet: He desir'd leave to speak to the Duke of *Savoy*, who sent one of his Adjutants to tell him, He might deliver his Message in Writing, or by word of Mouth, to the Adjutant, for that he could not see his Royal Highness. He said, 'That the Duke *de la Feuillade* had receiv'd Orders from Court, to form the Siege of *Turin*, and at the same time, to have all imaginable Regard to the Royal Family there, and to offer them Passports with a Guard before the Siege was begun, or even during the Siege.' His Royal Highness sent Word, 'That he was very much oblig'd to the King for the Offer his Majesty had been pleas'd to make him; That he did not think as yet



\* yet, of removing his Family; That whenever he  
 \* should remove them, he should have no occasion  
 \* for a Pass or a Guard, and that the Duke de la  
 \* Feuillade might execute his Master's Orders, and  
 \* begin the Siege when he thought fit. Monsieur de  
 Marignan own'd the Defeat of the Duke of Bavaria  
 and the Mareschal de Villeroy; and gave the Besieged  
 to understand, that the Duke of Marlborough had,  
 by this Victory, made himself Master of Brussels,  
 Mechlen, and Louvain.

The 8th of June, at Night, the Besiegers began  
 to bombard the Citadel and Town, and continued  
 the three following Days, without doing any con-  
 siderable Damage; And, at the same time, the Be-  
 sieg'd made great Fire from their Mortars, Cannon,  
 and small Arms, which very much disturb'd the  
 Enemy in their Works. The Duke of Savoy having  
 Intelligence, that the Enemy were preparing to pass the  
 Po, his Royal Highness was on Horse-back the next  
 morning by break of Day, to view the Posts along that  
 River, and some new Works he had order'd to be  
 made at Montcalier. The 14th came several Defes-  
 ters into the Town, who all agreed, That Orders were  
 given for a great Detachment of Horse and Foot to  
 march to Chivas, and to pass the Po there; and to-  
 wards Evening, the Besieged discover'd a great Body  
 of Troops that passed the Doric at Lucento, and  
 marched towards Setto. The 15th his Royal High-  
 ness was abroad all the Morning to observe the Enc-  
 my's Troops that had passed the Po at Chivas, by  
 break of Day, and were marching towards Queri;  
 upon which his Royal Highness was oblig'd to change  
 the Disposition of his Troops. He order'd 5 German,  
 and 9 Piedmontese Battalions to encamp on the  
 Mountain at Lirremont, which was somewhat above the  
 Works, and disposed of the rest in the several Posts  
 round the Town. That Night the Enemy began to  
 fire on the Besieged with red-hot Bullets, most of  
 which fell near to the Duke's Palace; but no body  
 receiv'd any hurt, and only one House was set on  
 Fire in the Town, which was soon put out. The  
 16th in the Morning, the two Dutcheßes, with the  
 Young Prince and Princesses, left Turin, and went  
 to Quierasco. Two Days \* after the Besiegers at-  
 tack'd the Line from the Hermitage to Montcalier,  
 and drove the Besieged from thence.

A. C.  
1706.

The Duke  
of Savoy,  
leaves  
Turin,  
June 17.  
N. S.

He is pur-  
sued by the  
Duke of la  
Feuillade.

The Duke of Savoy having receiv'd Advice, That the Enemy were marching towards *Montcalier*, in order intirely to surround *Turin*; and that General *Felz*, who commanded the Horse, and was to have kept open the Communication of that City with the Country, was retired from *Montcalier* to *Carmagnole*: His Royal Highness, by a prudent Foresight, resolv'd to take the Field, that he might, the better, be able to give his Orders every where; and endeavour to oblige the Duke of *la Feuillade* to draw off part of his Forces from before *Turin*. He entrusted Count *Daun*, General of the Emperor's Forces, and under him the Marquis *de Carril*, the Count *de la Roque*, and Monsieur *de la Roche Dallerie*, all brave and experienc'd Officers, with its Defence; leaving with them a numerous Garrison, very well provided with Ammunition and Stores of all kinds. His Royal Highness accordingly march'd from *Turin* the 17th in the afternoon, and came to *Carmagnole*; where he put himself at the Head of his Horse, and sent back 600 of them, under the Command of General *Marigni* to *Montcalier*, who kept the Communication open with the Town till the 20th; when the Enemy's Forces, consisting of twenty Battalions and forty six Squadrons, advancing to *Montcalier*, he was obliged to retire. His Royal Highness receiv'd Advice, at the same time, that as soon as the Enemy had posted their Troops about *Montcalier*, a Detachment of them would come and attack him at *Carmagnole*; and that the Spanish General *Colmenero*, with 3000 Regular Troops of that Nation, and a Body of Militia drawn out of the *Milanese*, the Country of *Alexandria* and the *Montferrat*, was marching to besiege *Asti*. Mr. *Metkuen*, Envoy Extraordinary from her Majesty of Great Britain to the Duke of Savoy, who arriv'd a day or two before at *Quierasco*, being come from *Barcelona*, but last from *Genoa*, by the way of *Oneglia*, came the 21st to *Carmagnole*, where he had Audience of his Royal Highness; after which he return'd to *Quierasco*. They receiv'd Advice that night, That the Enemy had laid a Bridge over the Po at *Montcalier*, and intended to march the next morning; whereupon Orders were given for Decamping by break of day, when they had Intelligence, that the Duke of *la Feuillade* was advancing to

towards them with 7000 Foot and 6000 Horse; and that he had sent Monsieur d'Estain with 500 Horse to join the Spaniards before Asti. Thereupon his Royal Highness marched from Carmagnole to Quierasco, where he past the Stura, being followed close by the Enemy, who attempted two or three times to put his Rear into disorder, but were as often repulsed, and he made a very orderly Retreat. The Duke of Savoy having notice that the Enemy were advancing to attack Quierasco, thought fit that the Princesses and the young Princes should remove the 23d from thence to Mondovi, where they arriv'd the same Evening, being accompanied at his Royal Highness's desire, by the Sicur Vander Meer, Envoy Extraordinary of the States-General. The 24th the D. of la Feuillade marched towards Fossan, whereupon his Royal Highness marched the same way with his Cavalry, and posted himself between Salmor and St. Alban, to defend the Passes of the River Stura. The 25th the Enemy arriv'd at Fossan, and his Royal Highness considering, that the River was fordable in several Places, and that Mondovi was a Place of no defence, he sent orders to the Princesses to remove from thence with all speed to Ceva, where the Dutchess with the two Princes arrived the same night; but the Dutchess Dowager being 63 years old, could not travel so fast, and did not arrive there till the next day. The 26th the Governor of the County of Ceva having received certain Information, that the Garrison of Final, with 3000 Montferrines, were on their march to invade that Province, the Duke of Savoy order'd his Family to retire with all speed into the Territories of Genoa; but all the Passes being secured by the Enemy, her Royal Highness resolv'd to retire to Oneglia, and from thence by Sea to Savona. The 29th in the morning, the Court arriv'd safe in that place, notwithstanding the many dangers they were expos'd to by Oneglia, reason of the difficult Roads they were oblig'd to take, for fear of falling into the hands of the Enemy. In the evening the Envoy of the States-General, being at Court, took an opportunity to represent to their Royal Highnesses, That their High Mightinesses would be sensibly afflicted, when they should hear; that their Royal Highnesses had been oblig'd to quit their own

The Royal Family of Savoy arrives at Oneglia, June 29. N. S.

The Dutch Envoy's Speech to the

Do-Dutch.

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Their  
Highnesses  
Answer.

‘Dominions, and expose themselves to so many Dangers, for seeking a Retreat in a Foreign Country; but they might be assured, that their High Mightinesses would exert their utmost Power to assist his Royal Highness for the Recovery of his Country, and procure him a Satisfaction proportionable to the Sacrifice he had made. Their Royal Highnesses, who supported that Disgrace with a Magnanimity beyond Example, answer’d, ‘That next to God, they wholly relied on her Majesty of *Great Britain*, and their High Mightinesses, and did not question to return shortly to their Capital, through their powerful Assistance. The Dutchess Dowager added, in particular, that notwithstanding her great Age, she had joyfully undergone the Fatigue of a dangerous Journey, and had this Comfort in the Misfortune of her Family, that she had an opportunity to convince the World by her Conduct, that she was inseparable from the Interest of the Duke her Son, and would not forsake the Dutchess and her Children; Concluding, that she hop’d that the States General would seriously consider her great Age, and the flourishing Condition in which she had liv’d, and use all possible means to restore her Family to the Possession of their Dominions. She expressed an Heroick Concern when she spoke these Words, and desired the Envoy to acquaint his Masters therewith.

When the Court removed from *Ceva*, the Duke of *Savoy* sent Mr. *Chetwind* (who took care of the Affairs of *England*, till the Arrival of Mr. *Methuen*,) to *Genoa*, to desire the Republick not only to give Retreat to the Dutchesses and the Princes, but likewise to send their Gallies to transport them from thence to their Territories; which the Republick granted in a most civil manner. On the 29th five of their Gallies came to *Diane*, to transport them accordingly; but the Wind being high and contrary, their Royal Highnesses did not think fit to embark, and so the Gallies put into *St. Remo*, till the Weather was more favourable. They were very well pleas’d to see the same day (*June 29th*) a Ship of 52 Guns, with *English* Colours coming into the Port. The Commander was admitted to their Audience, and said, That he was sent to attend

tend the Command of their Royal Highnesses, and to see them safe in the Territories of Genoa.

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1706.

In the mean time, the Duke of *la Feuillade*, having assembled the 26th of June, N. S. his Cavalry and Infantry at *Fossano*, (to the number of about 64 Squadrons and 11 Battalions) he order'd the Militia of *Montferrat* to lay a Bridge on the *Tanaro*, not far from *Quierasco*, in order to dislodge the Duke of *Savoy* from that Post. The same day he brought six Pieces of Cannon on the Banks of the River, to fire on the Quarters of the Duke of *Savoy*; and the next Day made a Bridge on the *Stura*, and pass'd that River, which oblig'd his Royal Highness to quit his Camp, and retire to *Coni*. The 28th the Duke of *la Feuillade* encamp'd at *St. Alban*, and the 29th march'd to *Mondovi*, which he surprized, and took Prisoners in it, the Prince and Princess of *Carignan*, with the Princes their Children, and several Persons of Note, whom he sent under a strong Guard, to *Mondovi*, *Raccon*. But having hunted the Duke of *Savoy*, from Place to Place, to no purpose, he return'd on the 5th of July, to the Camp before *Turin*, to receive the Duke of *Orleans*, leaving 40 Squadrons, and 5 Battalions, under the Command of the Count *d'Aubeterre*, with Orders to pursue the Duke of *Savoy*.

The Duke of Savoy retires to Coni, June 27. N. S.

The D. of la Feuillade surprizes

the Duke of Savoy, from June 29. N. S.

And returns to the Camp before Turin.

What by the Vigorous Defence of the Garrison; what by the Unskilfulness of those that had the Direction of the Attacks, and the Weakness of the Assailants, the Duke of *Orleans*, who arriv'd before *Turin* the 8th of July, N. S. found very little Progress made in that Siege. However, he seem'd to approve the cautious Method that was observ'd, to carry on the Works no faster, than the Miners advanc'd in the Saps, and discover'd the Mines of the Besieged, of which there was a great many; and having made some Donatives to the Soldiers, he set out for *Milan* the 10th. The same Day the Duke of *la Feuillade* pursuing his fond Project of seizing the Person of the Duke of *Savoy*, went again from the Camp before *Turin*, to resume the Command of the Troops he had left under the Count *d'Aubeterre*, who three Days before (July 7.) march'd from *Savigliano* towards *Saluces*, where his Royal Highness then lay, in order to attack him. Upon Notice of his Design, the Duke of *Savoy* made

The Duke of Orleans

arrives at the Camp before Turin, July 8. N. S.

The D. of la Feuillade.

crosses again the Quest of the Duke of Savoy.

A. C.  
1706.

*His Royal Highness retires to the Valley of Lucerne, where the Vaudois give him Proof of their Fidelity and Zeal.*

† July 9.  
N. S.

\* July 14.  
*The Duke of la Feuillade finds it impossible to force the Duke of Savoy.*

a very orderly Retreat thro' several Defiles, and being come to the Banks of the Po; part of his Troops immediately pass'd that River; but the Enemies Forces coming up, his Royal Highness repass'd the Po, and attack'd them with so much Bravery and Success, that he not only repuls'd the Enemy, but took from them 2 Standards, 6 Officers, and 50 private Men Prisoners, and kill'd and wounded many of them, with the loss only of about 50 Men kill'd, wounded, and taken. Among the latter was Prince Emanuel of Soissons, wounded in the Leg; and the Count d'Alez in the Thigh. This Action being over, the Duke of Savoy retired to Bubiane, without any further Disturbance from the Enemy, and, on the 8th of July, N. S. encamp'd within two Miles of Lucerne; where having summon'd the Captains of the Trusty and Faithful Vaudois, and signified what he expected from them in this important Conjunction, they assured him that they would stand by him to the last Man, and were ready to do whatever he should think fit for his Service. He was very well satisfied with their zeal and readiness, and assured them, that he would not only maintain them in their Privileges, but likewise give them further marks of his Favour, whenever it should be in his Power. The next † day, he remov'd his Camp, and posted himself between Bubiane and Lucerne, where he continued till the 12th, when upon Advice, that the Duke of la Feuillade having join'd the Count d'Aubeterre's Troops at Saluces, was in a full March to attack him, his Royal Highness retired to Lucerne; caus'd his Horse and Dragoons to dismount; sent up their Horses into the Mountains; and those Troops being join'd by the Vaudois in Arms, made the necessary Dispositions for the Defence of the Posts he had taken near Lucerne, at Rota, St. John's, and Angrogne. Two Days \* after, the Duke of la Feuillade took post at Brigueras, and made a shew of Attempting to dislodge the Duke of Savoy from his advantageous Post, but despairing of Success in so difficult an Enterprize, he march'd back by easie Journeys, by the way of Oasqua and Pignorol, to the Camp before Turin, where he arriv'd the 23d of July, N. S. and found that the Besiegers had made no other Advance, than the taking three Lunettes, the Night

Night between the 21st and 22d, which cost them above 800 Men, either kill'd or wounded. The next Day the Besieged made a Sally with 2000 Foot, supported by 400 Horse, in order to retake those Works; and attack'd the French with so much vigour, that they drove them out of one of the *Lur-slowly carried on* *nettes*; but being over-power'd, they were oblig'd to retire into the Town. Some Days † before, the Castle of *Asti* surrendred to the Count d'*Estain*, the *The Castle Garrison*, which was very small, yielding at Discretion; and about the same Time, the Marquis de *Discretion*, *Pareille*, advancing with some Militia, to endeavour † July 13. to relieve the Castle of *Ceva*, was unfortunately wounded and taken Prisoner. As for the Duke of *Savoy*, he no sooner heard that the Duke of *la Feuillade* was returning to *Turin*, than he order'd the *The Duke of* *Horses* to be fetch'd from the Mountains, and on the 25th of *July*, march'd from *Lucerne* to his former Camp at *Bubiane*, where he receiv'd Letters from *Prince Eugene*, with an Account of his passing the *Adige* and the *Po*. *turns to his Camp at Bubiane, July 25.*

'Twas certainly an egregious Over-sight, and want of Conduct in the Duke of *la Feuillade*, the Dividing his Forces, and carrying on so many Enterprizes at once; which did considerably retard his principal Business, the Siege of *Turin*; and at last gave an opportunity to *Prince Eugene* to come up to its Relief. All this while, the Duke of *Vendosme*, and the Generals and Ingeniers under him, had bestow'd their utmost Skill and Application, in casting up Intrenchments to hinder the Imperialists from passing the *Adige*; and boasted, that the Ground they had chosen, was so advantageous, that 'twas as difficult to attack those Intrenchments, as 'twas easie to defend them. But all these Precautions and Difficulties, serv'd only to expose the fond Vanity of the French, and to heighten the solid Glory and Fame of *Prince Eugene*, who having by Degrees receiv'd considerable Recruits, and been join'd the 2d of *July*, N. S. by the Remainder of the *Saxe-Gothan* and *Palatine* Auxiliaries, resolv'd not to lose any more time, by staying for the *Hessians*, but immediately to put himself in Action. Accordingly, having order'd his Troops to make several Marches and Counter-marches, to amuse the Enemy, and the better to conceal his real Design;

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1706.



He pass'd  
the Adige.

Design; and every thing being in readiness, Colonel Patee marched without Baggage secretly the 4th of July in the Night, with a Detachment from *Merlara*, down the *Adige*, to find out a proper Place where to pass that River. His Highness also went secretly that Night from his Head Quarters, at *St. Martino*, and came about 10 the next Morning to *Merlara*, from whence he proceeded towards *Castelbaldo*; near to which Place the *Palatine* Troops, those of *Saxe-Gotha*, and the Imperial Regiment of *Bagni*, were advanced, and had ranged themselves in a Line which reached near *Mezzzi*, a Place which the *French* had fortified. The Enemy were much alarm'd with the Arrival of the *Germans* near *Mezzzi*; and having sent a Reinforcement thither from *La Badia*, on the other side of the *Adige*, they sallied out, to the number of 1200 Foot, upon the *Palatine* Troops which lay nearest to 'em; but were repulsed with considerable Loss. Towards the Evening the Troops near *Castelbaldo* received 4 Pieces of heavy Cannon; and Prince *Eugene* gave Orders for the erecting of a Battery against the Enemy's Post at *Mezzzi*. The 6th his Highness received Advice from Colonel Patee, That being march'd as far as *Rotta-Nuova*, he had sent 500 of his Men over the *Adige* in Boats, who had taken Post on the other side; upon which, Orders were sent immediately to make a Bridge there to pass over the River with the rest of his Detachment, and to secure himself of some advantageous Post, where the Enemy might not surprize or force him. His Highness also detach'd his Adjutant-General Count *Beaufort*, with some Troops, with Orders to post himself on the Banks of the *Adige*, between *Mezzzi* and *Rotta-Nuova*, and to observe whether the Enemy sent any Troops along that River, towards the Place where Colonel Patee had passed it, and to give notice thereof to his Highness and to the said Colonel. Orders were sent, at the same time, to the Imperial Troops that had been left behind at *S. Martino*, and the other Posts along the upper *Adige*, to be in readiness to march upon the first Notice they should receive. The 7th, Colonel Patee sent an Account, That his whole Detachment had pass'd the *Adige*: That the Enemy had thereupon quitted all their Posts thereabouts as far as *La Badia*, and that a Body



dy of them was drawing together at *Canda*: Upon which his Highness sent him Orders what he should do further; and withal acquainted him, That he had receiv'd Advice, that the Enemy were sending a Detachment of three or four Thousand Men to the *Lower Adige*, who were already advanced beyond *Legnago*. In the Evening his Highness receiv'd Advice from Colonel *Patce*, That he was marched with the Horse under his Command to *Lucia*, and that his Foot was come as far as *Boara*: That Lieutenant Colonel *Messina*, with a Party of the Palatine Regiment of Horse of *Hatzfeldt*, had beat one of 150 of the Enemy's Horse, kill'd between 40 and 50 upon the Spot, and brought in a Captain, a Lieutenant, and 18 Troopers Prisoners, and 40 Horses, and pursued the rest of them, within a Mile of *La Badia*. Orders were there-upon dispatch'd to him, to send out Parties to view the Country, and observe the Enemy. The Troops under the Command of Major-General Count *Reising*, and the Regiments of *Herberstein* and *Guttenstein*, which lay along the *Upper Adige*, were order'd to come down to *Castel-Baldo*; and the Posts which they quitted, were taken up by the Regiments of *Reventlau*, *Kirchbaum* and *Zumjungen*. The Battery against *Mezzi* being finish'd, the Imperialists began in the Night, to mount two Pieces of Cannon of 24 Pounders, but the 8th of July in the Morning, to their great Surprize, (for the Batteries had not begun to fire,) the *French* abandon'd that Post, which they had fortify'd so well, that they might have held it a long time. His Highness immediately caus'd his Troops to take Possession of it; and judging the Enemy might also quit *La Badia*, he gave Orders to Lieutenant Colonel *Hoffman*, who commanded the Regiment of *Bagni*, upon the first Notice of their having so done, to pass the *Adige* in Boats with that Regiment, and secure that Post. His Highness himself cross'd the River, and went to Colonel *Patce*'s Detachment; and upon his Arrival there, was inform'd, That the Enemy had actually quitted *La Badia*; upon which he sent out Count *Jorger*, Lieutenant Colonel of the Regiment of *Herbeville*, with 200 Horse, towards that Place, and follow'd in Person with the rest of Colonel *Patce*'s

A. G. Detachment. Being arrived there, he found Lieutenant Colonel *Hoffman*, with the Regiment of *Bagni*, before one of the Gates of the Town, ready to enter it, the *French* being then actually marching out at another Gate. The Enemy had no sooner evacuated the Place, but some *Venetian* Troops took Possession of it, and refused to admit those of the Emperor: Whereupon Prince *Eugene* represented to the Governor, that that Place was not properly a fortify'd Town, but a Post occasionally fortify'd, and that the *French* having just evacuated it, he

Prince Eugene could not, according to the Rules of an exact Neutrality refuse him Entrance: But, having in vain, endeavoured, by fair means, to bring the Governor to a Compliance, he gave Orders for breaking down the Gate, and took Possession of that Important Post, protesting against the Governor's Proceeding, and that he alone should be answerable for any Consequences that might attend it. The Troops commanded by Major General *Reising*, that day, came to *Castelbaldo*, and brought with them several Pontons for a Bridge to be made over the *Adige* below *Mezzzi*, for the better Communication of the Troops on either side of that River. The 9th, Prince *Eugene* receiv'd an Account, That the Enemy had also quitted the Canal of *Malopera*, and were retir'd towards *Castagnato*, behind the Canal *Bianco*; and that they were under great Consternation, which indeed was evident, from their abandoning, with such Precipitation, so many Posts; which they had fortify'd with so much Art and Labour, that 'twas expected they would have disputed the Ground, Foot by Foot. Before the Imperialists pass'd the *Adige*, the *French* had given out, that if they did get over, they would stop them, by cutting the Banks of that, and the neighbouring Rivers, and laying the Country under Water: They had, indeed, begun to do so at *Mezzzi*, but retir'd before they had finish'd that Work: They attempted the same at *Anguilara*, but were again prevented by the Imperialists coming upon them.

The *French*, whose Vanity seems to encrease with their Disgraces, endeavour'd in their publick Accounts, to put a Gloss on the fading Laurels of the Duke of *Vendosme*, by giving out, 'That his Highness who had view'd all that Country, quite down

down to the Sea, had never any Design to keep it, because he was satisfied, that should the Enemy pass the *Adige* there, the *Tartaro*, or *Canal Bianco*, and a great number of Canals and Morasses; that should they surmount all those Difficulties, and even pass the *Po* into the *Ferrareze*, which is a Country no less Impracticable, he could be too quick for them, by passing the *Po*, over the Bridge he had caused to be laid below *Palantone*, and posting himself on the Arm of the *Po*, that runs by *Ferrara*. He knew besides, that the greatest Part of the Imperial Army were still between *Verona* and *Legnago*: So he contented himself with marching with 8 Battalions from his Camp at *Santa Maria de Zevio*, towards *San Pietro de Legnago*, to observe them the nearer. And that upon Advice, that Prince Eugene had augmented the Body of Troops that had pass'd the *Adige* to 8 or 10000 Men, and that they were advanc'd between the *Adige* and *Ceresolo* towards *Lusia*, within 7 or 8 Miles of *la Badia*, the Duke of *Vendosme* had abandon'd *la Badia*, that he might have the less Extent of Ground to defend: Thinking it sufficient to Guard the *Canal Bianco*, and the *Fossa Policella*, which he had entrusted to the Care of the Marquis de *St. Fremont*; and the Right of the *Po*, whither he had sent the Marquis de *Sennetterre*, with 12 Battalions, and 15 Squadrons.

A Letter from the Baron de Bette, Commissary of the States General, containing some remarkable Particulars, relating to the Passing of the *Adige*, it is now improper to insert it in this Place. It is as follows:.

High and Mighty Lords,

I Gave, in my last to your High Highnesses, an Account of the Dispositions made by Prince Eugene for the Execution of his Designs, and now I take the Liberty to acquaint you, that since that time 6 *Palatine* Battalions with all the Cavalry of that Elector and the Troops of *Saxe Gotha*, march'd from their Respective Incampments, and came the 4th near *Castelbald*. Colonel *Patee* decamp'd at the same time and march'd to *Anguillara* on the *Adige* below *Castelbado*, with a Detachment consisting of 6000 Men. The 5th at Night 600 *Palatines*, and

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200 *Saxe Gothans* were detach'd to attack the advanc'd Posts of the Enemy near and at *Castelbada*, but they retir'd upon their Approach to *Mezzi*, where they had a Bridge on the *Adige*, defended by a good Intrenchment. Our Troops posted themselves on the Banks of that River, and made a shew of intrenching themselves there, as if they had intended to erect Batteries to beat down the Bridge of the Enemy, or dislodge them from their Posts, whereupon they sally'd out of their Intrenchments with 1200 Men, and attack'd our Detachment with a great deal of Vigour. They were receiv'd with the like Bravery, and after a Skirmish which lasted about half an hour, they were repuls'd with a considerable Loss, leaving our Men masters of the Banks of the River. We had but 5 Men kill'd and 22 wounded. Our Troops continued to intrench themselves and prepare Batteries as if they had a mind to attack the Intrenchments in form, and our Cannon being advanc'd in sight of the Enemy, they did not question then but that Prince *Eugene* intended to force his Passage in that Place; whereupon they drew all their Forces that way. This Stratagem had the desir'd Effect; for Colonel *Patee* with his Detachment pass'd the *Adige*, between *Borgoforte* and *Rotta Nova*, without any manner of Opposition, and advanc'd the 7th towards *Badia*, keeping along the Banks of the *Adige*. He met, in his March, with a Party of the Enemy of 120 Horse, who were all kill'd or taken Prisoners. The News of that Colonel's having pass'd the *Adige*, caus'd a great Consternation among the *French*: They quitted the Post of *Mezzi* in the Night between the 7th and 8th Instant, and broke down their Bridge, retiring on the other side of the River; whereupon our Troops took Post in an Island. Yesterday morning the Enemy quitted also *la Badia*, upon Advice of the Approach of Colonel *Patee*; whereupon Prince *Eugene* sent over the *Adige* 3 Battalions in several Boats, which seiz'd that Place, notwithstanding the Opposition of the Venetian Garrison, which had taken Possession thereof as soon as the *French* had quitted the same. That Detachment was soon after reinforc'd by the Forces under Colonel *Patee*. The Enemy retir'd over

over the Canal of *Malopera*, and this day Prince *Eugene* has receiv'd Advice, that they quitted all their Posts along the *Adige*, whereupon his Highness has given Orders to all his Forces to draw this Way. The Enemy had begun to cut the Banks and Dykes of the *Adige*, and thereby they could have drowned all the Lands between the *Po* and the *Adige*, from this Place to the Gulph of *Venice*, and caus'd an irreparable Loss to the *Venetians*. The Detachemnt under Colonel *Patee* would have been also in the utmost danger of being drown'd, but the Proveditor of the Republick sent a Deputation to the Duke of *Vendosme*, to let him know, that if they cut the Banks of the *Adige*, as they intended, which could not but destroy the Lives of many thousand Subjects of the Republick, besides the Loss of one of their best Countries, the *Venetians* would take suitable measures against *France*, look, if so *fais*, upon the Forces of the two Crowns as their declar'd Enemies, and use them accordingly. The haughty Monsieur de *Vendosme* could hardly digest that Message, but however desisted from his barbarous Design, seeing *France* had already too many Enemies to deal withal. Lieutenant General *Rebinder* was sent some Days ago to *Verona*, to confer on the part of Prince *Eugene* with some Deputies of the Republick: He had a long Conference with them, and made them some advantageous Proposals to dissuade the *Venetians* from renewing the Treaty of Neutrality with *France*. They return'd a civil Answer; and declar'd, that they had Power only to hear what his Highness had to propose to them, and that they would inform the Republick there-with. We hope they will at least, give Passage through *Verona* to our heavy Cannon and Baggage.

*I am your High Mightinesses, &c.*

*Castelbaldo, July 9. 1706.*

*J. H. Baron de Bette.*

The further Progress of Prince *Eugene* till the 15th of *July* is related in the following Extract of a Letter from the Prince of *Anhalt Dessau* to the King of *Prussia*.

His

A. C.  
1706.

The Prince  
of Anhalt  
Dessau's  
Letter to  
the King of  
Prussia,  
d. ten at  
Sa. Mi-  
ch. Ae,  
July 16.  
N. S.

**H**IS Highness Prince Eugene having caus'd Colonel Pattee to pass the *Adige* the 6th at *Rotta-nouva* with a body of Troops, made the necessary Dispositions for attacking on all sides the Enemy's Army which lay very strongly intrench'd along the *Adige*. The Enterprize was happily begun the 12th in the Beginning of the Night, by the said Colonel Pattee, who with his Body of 2500 Men march'd down the Canal de la Fratta to the Canal Bianco, the Water of which being very low, the Foot led by the Prince of Beveren, Lieutenant Colonel of the Regiment of *Wolfsenbuttel*, pass'd it with all imaginable Bravery. The Enemy, after firing a few Shot from their Intrenchments, which our Men answer'd from 2 Pieces of Cannon, fled with so great Precipitation, that they left behind their Tents, Bread and other Provisions, and all they had in their Camp. Their Cavalry run away without their Bridles or Saddles, their Horses having only Halters on. Two French Battalions, that were posted in a Cassine, quitted it and fled likewise: and the Disorder was so great, that as the Prisoners report, and according to other Advices, the Soldiers left their Colours and dispers'd themselves, their Consternation being inconceivable. After this happy Success Prince Eugene sent to view the *Po*, and order'd a Detachment under Lieutenant Colonel St. Amour to pursue the Enemy, at the same time ordering Colonel Pattee to make a Halt near the *Po*, and 4 Imperial Regiments of Foot with a like number of Horse to post themselves near Castel Guilielmo. Monsieur de St. Amour sent Prince Eugene the following Account.

Col. St. A.  
mour's  
Letter to  
P. Eugene.

**H**AVING Intelligence that 20 Boats, in which was the Enemy's Hospital with 400 sick and wounded Men, were on the Canal *Tartaro*, and were guarded by 200 Foot and some Horse commanded by 2 Captains, and 3 Lieutenants, I attack'd them happily, and forc'd them, the Fire was great; I had 1 Captain, 1 Lieutenant, 2 Corporals, and several Soldiers kill'd, or wounded; 40 of the Enemy that got into a Cassine gave us the most trouble. I have taken Prisoners 1 Captain, 2 Lieutenants, and

and above 200 Soldiers, almost all of them wound-  
ed; and also some Surgeons; the rest were cut in  
Pieces. Their Sick made a shift to do them good  
Service by firing from the Boats, in which I  
found a large quantity of Dough new made, which  
I will cause to be bak'd. This Action happen'd  
within 8 Miles of *Ostiglia*. I am, &c.

The 13th in the Night the Enemy abandon'd all  
their Posts and Lines behind the *Adige*. The 14th Prince Eu-  
gene the Prince of *Anhalt*, who was left at *San Michiele* gene posses  
with 28 Battallions and 24 Squadrons, to command the Po.  
on the upper *Adige*, sent some Men over that River  
and took Post on the other side of it, causing the  
Bridge to be brought down from *Peroua* to *San Mi-  
chiele*. The 15th he caus'd it to be remov'd to *Brua*;  
and gave Advice of all he had done to Prince Eu-  
gene, who sent him word that Colonel *Patee* having  
happily pass'd the Po, with some Troops the 15th  
in the Evening, he would have him come down in  
all Haste with the entire Body of the *Prussians* to  
*la Badia*; which Order he prepar'd to execute that  
Night.

Prince *Eugene* having caus'd all his Army to  
Join him (6000 Men excepted, which he left near  
*Verona* to wait for the *Hessians*), pass'd the Po the  
17th, and 18th at *Francolino*: and the 21st Encamp'd  
at *Santa Bianca*: From Whence the Baron *de Bette*  
the following Letter to the States-General.

High and Mighty Lords,

PRINCE *Eugene* having pass'd the *Adige*, Canal Baron de  
*Bianco* and the Po, without any Difficulty or Bette's  
Loss, His Highness encamp'd the 20th Instant be- Letter to  
tween *Ferrara* and *Ponte Lago Scuro*, causing the the States  
Body under Colonel *Patee* to advance to *Santa Bian-* General.  
*ca*, where the rest of the Army march'd the 21st.  
The Prince went immediately after in Person to  
view the Posts along the *Panaro* and Canal de *Mo-*  
*dena*, which he found possess'd by the French; but  
Colonel *Patee* was commanded the same Day to  
march with his Detachment to *Finale de Modena*, a  
large Village between the River and Canal afore-  
said, which the French were fortifying. They  
made a shew to defend that Post, but this Morn-  
ing they abandon'd the same, and the Banks of the  
Canal

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Canal and *Panaro*, so that our Troops took Possession of *Finale*, *Bondeno*, and some other Posts, which will enable us to march farther. 'Tis likely that the *French*, who have put a strong Garrison into *Mirandola*, will endeavour to defend the Passes of the *Secchia*; but 'tis not believ'd that they are strong enough to dispute the same before they have receiv'd a Reinforcement of 10000 Men, which they expect in a few days from *Piedmont*. Prince *Eugene* has left 6000 Men near *Verona*, under the command of the Baron de *Wetzel*, which are to join the *Hessians*, and attack the *French* on the side of the *Mincio*, which Diversion will facilitate the March of Prince *Eugene* towards *Piedmont*, I am, &c,

From the Imperial Camp at Santa

*Bianca*, July 23. 1706.

J. H. Baron de Bette

The Duke of Orleans takes upon him the Command of the French Army, July 18. N. S. The D. of Vendome sets out for France.

The Duke of Orleans set out from *Milan* the 14th, and was follow'd the 15th by the Marechal of *Marsin* to *Cremona*, where they held a great Council of War with the Prince of *Vaudemont* and the Duke of *Vendosme*. The 18th the Duke of Orleans arrived in the French Army and took Possession of the Command thereof. The Soldiers express'd a great Joy to see that Prince, but he was much surprized at the strange Consternation he discover'd amongst the Troops, and appear'd much concern'd to find Things very different from what they had been represented to him before his setting out from *Paris*. He complain'd thereof to the Duke of *Vendosme*, and used some harsh Expressions, which that General had much ado to bear withal, and set out the 20th for the Court of *France*. The 21st the Duke of Orleans pass'd by *Mantua* with the Army under his Command, and encamp'd at *La Volta*. He proceeded from thence to *Correggiolo*, where he pass'd the *Po*, taking his Head Quarters at *San Benedetto*, to observe the Motions of Prince *Eugene* and endeavour to stop him on the Banks of the *Secchia*. He left Count *Medavi* with 17 Battalions and 24 Squadrons to secure the *Mincio*, and the Mountains in the *Brescian*, and detach'd 14 Battalions to reinforce the Garrisons of *Mantua*, *Ostiglia*, *Mirandola*, and other Places.

The



The further Motions of the Imperialists, from the 23d of July, to the 6th of August, are well related in the following Journal, dated from their Camp at Carpi, Aug. 6.

A. C.  
1706

The 24th of last Month we came to *Final de Mo-* *Further*  
*dena*, and encamped there with the *Panaro* in our Rear. *Progress of*  
The 25th, 26th and 27th we halted there. The Prince Eu- *Prince Eu-*  
28th at Day-break we march'd towards *Campo Santo* gene.  
where we arrived at 9 in the Morning. The fol-  
lowing Night we continued our march, and passed  
the *Secchia* near *S. Martino*, the Foot over a Bridge  
that was laid with great Expedition, the Horse thro'  
several Fords. The 29th and 30th we halted, as  
well to wait the coming up of our Baggage, as to  
refresh our selves after the great Fatigues we had  
endured, especially by reason of the great Heats,  
which at this Season are so excessive in these Parts,  
that we are oblig'd to march almost always in the  
Night. The 31st. in the Morning we arriv'd at  
the Canal of *Ledo* near *Carpi*. The 1st of this  
Month at Day-break, we pass'd that Canal in 8 Co-  
lumnns, and having afterwards drawn up into one  
Body in the Plain, we divided our selves again into  
4 Columns and march'd directly towards the En-  
emy's Army, which was behind the *Parmegiana*.  
Being advanc'd within 2 Musquet-shot of that Ri-  
ver, Lieutenant Colonel St. Amour was detach'd  
with some Troops to take a near view of it; he re-  
ported, at his return, that the Water was low, and  
the Banks very high; and that we could not pass  
it without Boats, especially because the bottom was  
very muddy, and the Enemy appear'd resolv'd to  
dispute our Passage, having to that end pointed  
several Cannon against us. Upon this Prince Eu-  
gene went himself and found M. de S. Amour had  
given a right Account, and that he could not at-  
tack the Enemy without exposing his Army too  
much; so that after having halted there till three  
in the Afternoon, his Highness thought fit to march  
the Army back to the Canal of *Ledo*. The 2d at  
Day-break he detach'd Major General *Zumjungen*  
with 3 Regiments of Horse, 8 Battalions and 8  
Field-pieces, to attack *Carpi*; and about Noon  
Advice came that the Enemy left the *Parmegiana* the  
Night before, and retired with great Precipitation  
towards

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1706.

Carpi taken by Pr. Eugene, Aug. 5. N. S.

The Duke of Orleans's Motions.

Siege of Turin carried on. The Covered Way of the Citadel taken, Aug. 5. N. S.

'towards *Raggiola* and *Tista*. The 3d we follow'd the last mention'd Detachment, and arriving before *Carpi* we found our Men had open'd the Trenches within 130 Paces of the Ditch. The following Night they were carry'd on within 50 Paces of it, with no more loss on our side than of 2 Men kill'd and some wounded. The 4th the Count de *Rocaulone* was detach'd with some Troops to take Post at *Reggio*. The Night between the 4th and 5th the Trenches were advanced to the edge of the Ditch of *Carpi*; and a Descent was made into the Ditch, in order to set our Miners to work under the Wall. We received Advice at the same time that the Enemy's Army was retir'd behind the *Croftolo* near *Guastalla*, and that they had 2 Bridges over the *Pò* and another at *Cremona*. The 5th at 4 in the Afternoon, the Governor of *Carpi* beat a Parly and offer'd to capitulate; but Prince *Eugene* let him know he must yield at Discretion; which he did soon after, with his Garrison consisting of a Battalion and 20 Dragoons. The Inhabitants of *Correggio* hearing of it, open'd their Gates to us, to exempt themselves from being plunder'd.

Upon this great Progress of Prince *Eugene*, the French gave out, 'That the Duke of Orleans having 44 Battalions, and 58 Squadrons in a very good Condition, his Design was to preserve them by moving as the Enemy moved, keeping in the Plain along the *Pò*, which he would cover, and which would furnish him with all manner of Necessaries; and to fatigue the Imperialists, by obliging them to pass through difficult ways near the Mountains of the *Appennine*, as far as the *Pavesan* and the *Tortonze*, where the rapid Rivers, and the Ribs of the *Appennine*, which jut out pretty near to the *Pò*, render the Country almost impracticable, and where they would meet with further Difficulties, by the Opposition of the Troops detach'd by the Duke of *La Feuillade* from *Piedmont*, consisting of 33 Squadrons of Horse, and two Regiments of Dragoons. In the mean time, the Siege of *Turin* was carried on with more Obstinacy than Success, insomuch that it was the 5th of August before the French attack'd the Covered-way of the Citadel; which, after a Sharp

sharp Dispute, they carried. Twelve Ingeniers leading up the Pioneers, set them at work to make a Lodgment by the Palisadoes; but the Besieged, what by their Firing with Cartridge shot, what by springing of Mines, oblig'd the Workmen, and those that sustain'd them, to abandon their Lodgment: Which, however, was re-taken the 7th of August at night. In these Actions the Besiegers, by their own Confession, had three Ingeniers, 20 Officers, and 400 Soldiers kill'd; besides three Ingeniers, 500 private Men, and a proportionable number of Officers wounded.

After the taking of the Cover'd-way, the French employ'd many days in perfecting their Lodgments and Batteries: For the Besieged sprung so many Mines, that the Besiegers had no Cannon ready till the 21st of August, N. S. when they began to batter a Half-Moon against their Attack with 12 Pieces, and the Bastion on the side of the Town with 6, and, at the same time, continued their Sap, to make a Descent into the Ditch. The 22d, at Day-break, were stopp'd at the Bridge over the Po above Turin, seven Goat-Skins, partly fill'd with Powder, and partly blown up with Wind, which the Duke of Savoy had caus'd to be thrown into the Po in the night, hoping the Stream would carry them down to Turin, where they begun to be in great want of Ammunition. The night between the 22d and 23d, the French made Lodgments in the two Places of Arms of the Counterscarp, where on the 23d two Batteries of 6 Guns each, were rais'd to batter the Curtain, and the two Bastions. Their Saps were perfected, and Apertures made for entering into the Ditch of the Counterguards, and of the Half-Moon; but in the night between the 23d and 24th, a great Storm retarded their Works very much; and on the 25th in the morning, the Besiegers sprung a Mine, which buried several Men, blew up nine Pieces of Cannon, and threw down three of the five Batteries that were on the Cover'd-way, and the Breast-Works. On the 26th, in the beginning of the night, the Half-Moon and Counterguards were attack'd, and carried by the Besiegers; but those who defended the Half-Moon, retired into a walled Redoubt at the neck of it, and from thence, and from Aug. 26. the N. S.

The French carry a Half-Moon and two Counterguards;

A. C. the Flanks of the Bastions, made a great Fire for three hours together on the Besiegers. The 27th, 1706.

*They are driven from thence* at 8 in the morning, the Besieged made a vigorous Sally, regain'd the Half-Moon, attack'd the Counter-guards, and drove the French from thence with such Slaughter, that the latter themselves own'd, Aug. 27. they had, in these Attacks, between 4 and 500 Men

N. S. kill'd: A sad Spectacle for the Duke of Orleans, who the next day, in the evening, arriv'd in the Camp; with 40 Squadrons, 11 Regiments of Dragoons, and 40 Battalions. Encouraged by these

*The D. of Orleans arrives in the Camp before Turin, Aug. 28. N. S.* Reinforcements, the Besiegers, on the 31st of August, made a second Assault upon the Half-Moon and the two Counter-Guards before the Citadel; but were repulsed with greater Loss than on the 26th, the Besieged making a terrible Fire with their small Arms, and springing several Mines, with great Success. This

*The Besiegers make a second Assault, and are repulsed, Aug. 31. N. S.* Disappointment so cowed the French Soldiers, that their Generals did not think it proper to hazard a third Assault; but contented themselves with setting their Miners to Work. Of 7 Batteries, some of 5, some of 6 Pieces of Cannon, which the Besiegers had on the Cover'd-way, not one was left; the Mines of the Besieged having ruin'd them all, and destroy'd above 100 of their Gunners; and of 48 Ingeniers they had at the beginning of the Siege, 13 had, by this Time, been kill'd, 18 were disabled by Wounds, and 9 or 10 Sick, so that they had only 7 or 8 in a condition to serve.

Notwithstanding these Repulses, and Disadvantages on the side of the Besiegers, and the admirable Courage and Constancy of the Besieged, who disputed the Ground Inch by Inch, in order to gain Time, yet Turin must inevitably have been lost, for Prince Eugene advances to the Relief of Turin. want of Ammunition, had not Prince Eugene, with indefatigable Diligence, come up seasonably to its Relief. His Highness's March, after the Taking of Carpi, is faithfully related in the following Journal of the Imperialists:

‘THE 7th of August, after having furnish'd ‘Final and Carpi with all things necessary, ‘we decamp'd from the Neighbourhood of the last ‘Place, and marched to San Martino. The 8th we ‘halted there, to wait for our Bread Waggon. The

The 9th we continued our March, and encamp'd at *San Prospero* near *Reggio*. The same day we received Advice, by an Express from Captain *Beverelli* commanding in *Riva*, that the Enemy had abandoned the Lake of *Garda*, and retir'd to the *Mincio*; after having burnt the armed Barks they had on that Lake, as also 28 Barks belonging to the *Venetians*. The 10th, Prince *Eugene* held a Council of War, in which it was resolv'd to form the Siege of *Reggio*; whereupon the following night his Highness detach'd some Troops, who took Post before the Castle of that Place, with the loss of 6 Men kill'd, and 18 wounded. The 11, at Day-break, General *Kriechbaum* march'd with another Detachment, to form a second Attack against the Town; and Major General *Zinzendorf* pass'd the *Croscola* with some Horse, to prevent the carrying any thing in, or out of the Place. The following night the Besiegers of *Reggio* carried on their Approaches within 20 paces of the Ditch of the Town. The 12th, the Town offered to capitulate, but the Enemy refusing to include the Castle in the Capitulation, Prince *Eugene* rejected their Offer. The night between the 12th and 13th the *French* abandoned the Town of *Reggio*, and retir'd into the Castle. The 13th the Besiegers entered the Town, and having rais'd Batteries against the Castle, summon'd the Governor to surrender forthwith, threatening otherwise to give him no Quarter. He answer'd, 'twas Time enough, but the Besiegers beginning to batter the Castle, he offer'd the 14th to capitulate; but all Terms being refus'd him, he yielded himself Prisoner of War, with his Garrison, which consisted of one Battalion of *Mirabenu*, and some Companies of the *Italian Regiment of Rangoni*. In the Castle were found 26 Pieces of Brass Cannon, 50 Quintals of Powder, and other Ammunition.

The day before, Prince *Eugene* wrote the following Letter of Thanks, to the Managers of the Loan lately made, in *England*, to the Emperor, to enable his Highness to carry on the War with Vigour in *Italy*.

A. C;  
1706.

Reggio, August 13. N. S.

Prince

Gentlemen,

Prince  
Eugene's  
Letter to  
the Man-  
agers of the  
Loan made  
to the Em-  
peror.

SINCE I came to this Place, I receiv'd Bills for the last 50000 l. I give you my hearty Thanks for Your great Care in Remitting the several Sums so punctually as You have done. The Lending of this Money was a great Service to the Common Cause: And it shall be my Care to apply it to the best Advantage, &c.

Prince EUGENE of Savoy.

' The 15th the Army having decamp'd, pass'd the *Lenza*, which was dry, and advanc'd within 2 Miles of *Parma*. M. *Eben* went with 200 Horse to view the Camp, and observe the Motions of the Enemy, who were near *Gustalla*. We lay still the 16th, because of the excessive Heats, and to wait for the tired Troops that were behind. M. *Eben* gave Advice, that part of the Enemy's Army had pass'd the *Po*. An Express was dispatch'd to the Prince of *Hesse*, with a Verbal Message, and Orders in Writing. The 17th the Army encamp'd at *la Badia*, where they found Water in abundance for their Refreshment. Baron *Chares*, who was come to the Camp from the Duke of *Savoy*, was dispatch'd back to him in the evening. The 18th we continu'd our March to *Chiaravalle*. The 19th we arriv'd at *Cade*, our Left Wing being extended within 5 Miles of *Piacenza*: Prince *Eugene* going in Person to view the *Po*, observ'd on the other side of it, a Camp of the Enemy's in the *Milanese*; and was inform'd, that the *French* had made a hasty March up that River, and had left on the *Oglio*, the Generals *Toraldi* and *Medavi*, to observe the *Hessians*. The continuance of the Heats, the want of Water, and the Difficulty of being well supplied with Bread; having incommoded the Army in their March, it was resolv'd, that the Troops should rest the Day following: But General *Kriechbaum* was order'd to march all night, with 8 Battalions, 3 Regiments of Horse, and 6 Field-pieces,

as

as the Van-Guard. We had Intelligence, that be-  
sides the precipitate March of the Enemy up the  
Po, General Medavi was to send after them a De-  
tachment, but whether with Design to take Pos-  
session of *Stradella*, or some other Post on the  
Right of the Po, in order to oppose our March,  
or to march directly to *Piedmont*, was not known.  
The 20th it was resolv'd to march by Moon-  
light all night, for Coolness. The 21st the Horse  
encamp'd at *Castel S. Giovanni*, having left the  
Foot six Leagues behind them, fatigu'd with the  
long March. General *Kriechbaum* sent Advice,  
that, without any Opposition, he was arriv'd at  
*Stradella*, which difficult Pass 'twas thought the  
Enemy would defend; and that Lieutenant Colo-  
nel *St. Amour* was advanc'd to *Voghera*. Upon this  
Intelligence, the 22d the whole Army continu'd  
their March, and Prince *Eugene* leading the Horse,  
join'd the Body under Baron *Kriechbaum*; but the  
Foot halted between *Stradella* and *Ponco*. *M. de St.*  
*Amour* went to view the Country towards *Castel*  
*Nuovo* and *Tortona*, on Advice, that there were some  
Horse in the latter. We had intelligence of the  
precipitate March of the Enemy over against us;  
and that their Foot were carried in Waggon and  
Carts for the greater Expedition; but we could  
not learn whether they intended to make directly  
for *Piedmont*, or to come over the Po at *Valencia*,  
to engage us. In the evening the Horse were or-  
der'd to advance before, and Baron *Kriechbaum*  
to continue his March. The Express that had  
been sent to the Prince of *Hesse*, return'd with  
the News of the taking of *Goito*, after an Attack of  
two days; and with the Capitulation that was  
granted to the Garrison, for saving Time. The  
23d the Foot join'd the Horse; and Baron *Ried*  
and *M. de St. Amour* went towards the *Bormia*, to  
get Intelligence of the Enemy's Horse, which were  
said to be at *Tortona* and *Alexandria*.

The 24th our Van-guard rested at *Castel nuovo de*  
*Scivia*, and the Army at *Voghera*, to provide them-  
selves with Bread, and let the Horses have some  
rest. Baron *Ried* gave Intelligence, that there  
were some of the Enemy's Horse at *Alexandria*, but  
that he could not learn, whether they would dis-

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pute the Passage of the *Bormia*, or of the *Tanaro*.  
The March for the next day was fix'd, and M.  
*Eben* was sent towards *Tortona*. The 25th, while  
we advanc'd towards *Castel nuovo di Scrivia*, the  
Vanguard led by Baron *Kriechbaum*, had pass'd the  
*Orta* without any Obstacle at *Bosco*, though he was  
forc'd to lay Bridges there, because the Rain had  
swell'd the River.

The 26th the Army continu'd their March to  
*Castellazzo di Bormia*, and the Body of Troops un-  
der General *Kriechbaum* encamp'd near *Masi*. We  
had Intelligence, that some of the Enemy's Troops  
were arriv'd in *Piedmont*. The 27th we halted, but  
the Prince of *Anhalt* had Order to march in the  
night with the Troops of *Prussia*, and the Brigade of  
*Zunjungen*, and encamp near *Corticelli*, which he did.

Prince Eu-  
gene passes  
the Tanaro

The 28th the Army encamp'd at *Masi* on the *Tanaro*, and the Body under General *Kriechbaum* ad-  
vanc'd towards *Isola*, whence he entred into *Pied-*  
*mont*, having pass'd the *Tanaro*, over the Bridge of  
Barks, which his Royal Highness had caus'd to be  
laid 3 Miles above *Asti*. We had advice, that the  
Duke of *Orleans* had decamp'd from *Merana*, two  
Leagues from *Cazal*, and that most of his Troops  
were arriv'd in *Piedmont*.

And joins  
the Duke of  
Savoy,

Aug. 29.

N. S.

The 29th the Army pursu'd their March to *Isola*,  
where they pass'd the *Tanaro* over the same Bridge.  
The Body under General *Kriechbaum* march'd to  
*Villa-Franca*: that under the Prince of *Anhalt* to  
*Baldi-Chieri*, and Prince *Eugene* gave Orders for the  
March of the Army, and for sending to *Alba* the  
Waggons, the heavy Baggage, the Sick, &c. re-  
taining only the Troops that were in a Condition  
to fight, and enjoining them to keep exact Dis-  
cipline: Which done, he went and join'd his  
Royal Highness, who was advanc'd above *Car-*  
*magnole* near a Meadow, in which was the Inter-  
view, and then their Highnesses went to *la Motte*,  
his Royal Highness's Head-Quarters. Prince *Eu-*  
*gene* having communicated to him the Orders he  
had given out, it was judg'd proper to alter the  
March of the Army, and to take the Route of  
*Villa-Stellon*, for the Convenience of getting Wa-  
ter, and the Baron de *Chavée* was dispatch'd for  
that purpose. We had Intelligence from *Turin*,  
that



that the Enemy had attack'd a Half-Moon, and the 2d Counterscarp of the Citadel, and that after having been repuls'd Twice, they posted themselves there the Third Time; but that Count Daun causing a vigorous Salley to be made, drove them out again with great Loss. The 30th the Baron de Charee return'd with an Account, that the Prince of Anhalt was arriv'd in the Camp near Villa-Stellon, and that all the other Troops were in full March thither. They all arriv'd there the 31st, and that Day their Highnesses view'd that new Camp, in which they made some Alteration, and then return'd to *la Motta*. We had Advice that the Enemy's Troops were all arriv'd in the Camp before *Turin*.

The 1st, of September, N. S. his Royal Highness decamp'd from *la Motta*, with his Body of Horse, and join'd our Army. He had the Satisfaction to find it in a very good Condition, and 'tis wonderful our Men and Horses should keep so well in so long and tiresome a March. We made a triple Discharge of Artillery, in Thanksgiving for so happy a Junction. His Royal Highness gave Orders for two Bridges of Barks to be made on the *Po*, and several other Dispositions were made. We had Advice that the Enemy having given a new Assault on *Turin*, had been repuls'd.

The 2d, a Detachment that was sent out the Day before, having taken Post at *Chieri*, their Highnesses accompanied by several Generals, went above that Place, upon the adjacent Hills, to take a full View of the Siege of *Turin*, and the Enemy's Intrenchments. Towards Evening they return'd to the Camp, as did also the Detachment. The Enemy work'd to intrench themselves on the Hills above *Moncalier*, and sent Troops towards *Cavoretto*, where was their Bridge.

The 3d, the Imperialists continued in the Camp of *Villa-Stellon*, in order to provide the Army with Bread, and to regulate other Dispositions. The 4th, they decamp'd, and march'd a full Mile up the Left of the *Po*, which they afterwards passed in good Order over two Bridges, and thence march'd towards *Bagnasco*, where having pass'd the *Sangon*, a

1706. Camp was form'd. The Night before, 4 Battalions  
A. C. and a Regiment of Dragoons were detach'd to-  
wards *Chieri*, to join a great Number of the Militia  
of the Country, and make some Attempt against  
the Enemy.

*The Duke of Orleans* The Confederates having pass'd the *Po*, in order  
to attack the *French*, the Duke of *Orleans* held a  
great Council of War, wherein he propos'd, as his  
Opinion, to march out of the Lines, and fight the  
Enemy; considering the Army of the two Crowns,  
(which consist'd of 93 Battalions, and 120 Squa-  
drons,) was above 10000 Men stronger than the  
Imperialists; whose Forces, tho' join'd by about  
2000 Horse, and 4000 Foot of the Duke of *Savoy's*  
Troops, did hardly amount to 28000 Men; But the  
*Marschal de Marcin* was of another Sentiment,  
which being approv'd by the Majority of Votes, it  
was resolv'd, that the *French* Army should expect  
the Enemy in their Lines; And, in the mean time,  
they cut down the Trees, and made all other Pre-  
parations for their Defence.

*The Allies* On the 5th of September, the Allies pursued their  
*takes a great* March towards *Pianezza*, and on the Way had In-  
*Convoy* telligence that a great Convoy of the Enemies, with  
*from the* a numerous Guard, was coming from the Valley of  
*French,* *Susa* to their Army; whereupon his Royal High-  
ness and Prince *Eugene* made the necessary Dispo-  
sitions for attacking it, which, was done with so  
great Vigour, that the Guard was intirely defeated,  
and the Convoy taken; Part excepted, which fled  
to the Castle of *Pianezza*, into which the Grenadiers  
entring the 6th by a Vault, the Enemy beat a Par-  
ley: but it was difficult to stop the Fury of the Sol-  
diers, who had begun to put to the Sword all they  
first met. However, some escap'd; 250 were made  
Prisoners, with 30 Officers, and 2 Standards were  
taken with the rest of the Convoy, which in all  
consist'd of about 1450 Mules, or Beasts of Burthen,  
loaded with Powder, Meal, Arms, and other Am-  
munition; and the Guard were 1300 Horse.

*Dispositions* On the 6th, their Highnesses caus'd the whole  
*of the Bat-* Army to march to pass the *Doria*, and went them-  
*tle of Tu-* selves to the Castle of *Pianezza*, till all had pass'd:  
*rin, Sept.* Which done they form'd the Camp; the Right  
6. N. S. Wing

Wing at *Pianezza*, and the left at the *Venerie*, where was the Head Quarter. A Resolution being taken, to attack, the next Day, the Enemy in their Intrenchment between the *Stura* and the *Doria*, the Dispositions were made in Presence of all the Generals, and in Writing. The Foot were to be the Vanguard, and without beat of Drum, the Grenadiers were to draw up before the *Prussian* Troops an Hour before Day, those of the first Line commanded by a Colonel, and those of the second by a Lieutenant Colonel, so that by Day-break all was ready. The Foot were to march in 8 Columns, whereof 4 were to form the first Line, the other 4 the second. Those Columns were to move at once, that is to say, Major General *Ver Haghen* with his Brigade, or Column along the *Stura*, the other 7 on his Right, one by the Side of the other, observing that the Field-Pieces distributed among them, might move on between the Battalions.

In this Order they were to march to the Plain, and to make a halt when they came within Cannon-shot; and the 4 Brigades of the first Line were to form to the Left, that the *Prussians* might close up to the *Stura*, and the rest extend to the Right as much as possible; and to make Room for the Cannon, an Interval of between 20 and 30 Paces was to be left between the Battalions. The 2d Line was to observe the same Order, but with larger Intervals than the first, that in Case of Disorder, the Battalions might form themselves anew behind them; and this Line was to march at the Distance of 3 or 400 Paces from the first, regulating themselves according to the Motions of the said first Line, and observing that no Soldier sh'd without the Officers Order. And when, by the Divine Assistance, they should force the Enemy's Intrenchment, the first Line was to form and post it self, till it should receive Order, and open for the Horse, which was to observe the same Directions as the Foot; with this Difference still, that the first Line was to form 6 Columns, and the second as many as they were Brigades: but with larger Intervals than the Foot, for the Reason above-mention'd. All the *Hussars* were to march in the Van, and act as they should be order'd. The

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*Battle of  
Turin.*

rest of the Artillery was to march behind the Foot; and all the Baggage to keep behind towards the Left Wing, there to wait for Orders.

The 7th, the Troops, mov'd according to this Disposition, expressing great Joy and Impatience to fight. They began to form themselves at Break of Day, and then to march; yet being in an even and spacious Plain, the Horse of the Left Wing of the first Line, was commanded to march before the Foot; the rest marched according to the Order prescribed. When they came just within Reach of the Enemy's Cannon, the Horse stop'd, and the Foot form'd into two Lines, whence all the Enemy's Camp lay open to View; and then they perceiv'd their Intrenchment was greater than they had imagin'd.

The Enemy, upon Notice of this March, made divers Motions to cause their Troops to advance near to their Intrenchment. They began to cannonade the Confederates furiously, and continu'd it two Hours, before the latter were intirely form'd, but the Grenadiers having taken their Post, and the Foot being drawn into two Lines, the Left Wing was order'd to move leisurely along the *Sturm*, to give Time to the Right to form it self, and to advance towards the Enemy's Intrenchment. The Allies, at the same time, began, on their Left Wing to cannonade the Enemy, tho' with this great Disadvantage, that they were in a wide Plain, wholly expos'd, whereas the *French* were cover'd by their Lines. This Cannonading lasted from half an Hour past 8, till near 11, when all being ready, and the Orders given for the Attack, all the Grenadiers of the Imperialists and Allies, led by Colonel *Salmut*, as also the *Prussian* Foot being nearer to the Enemy than the Right Wing, attack'd first, commanded by the Prince of *Anhalt*, and the Majors General *Stillen* and *Hagben*, his Highness leading them on in Person with extraordinary Bravery and Valour. The Fire was vigorous, both Musquet and Cartridge-shot; and while that Prince was in full Attack, the Prince of *Wirtemberg* and Major General *Zumjungen* with their Brigades, fell on, as did Major-General *Rebinder* with the Palatines: At the

the same Time likewise the Prince of Saxe-Gotha and Major-General Count *Konigseck* began on their side to attack with their Brigades. Then the Fire grew general, and fierce on both sides, and the Event dubious; till at last, on the Left, all the Grenadiers, with the *Prussian* Foot and the Brigade of *Wirtemberg*, consisting of 5 Imperial Regiments, surmounted the vigorous Resistance of the Enemy, forc'd the Intrenchment, and at the same time levell'd it to open the Way for the Horse: But not stopping there, nor forming themselves, according to the Disposition that had been made; on the contrary, several Troopers that had entred precipitately, pursuing and pushing the Enemy, General *Iselback*, who was in the second Line, and who was to support the Brigade of *Wirtemberg*, detach'd from his own Brigade the Regiment of *Stareimberg* under Colonel *Haindi*, and caus'd him to post himself on the Intrenchment, with Order to turn the Enemy's Cannon against themselves, and not to abandon that Post, happen what would. This was executed very seasonably, for that Regiment had hardly posted it self, when the Enemy, who fled, fac'd about, repuls'd part of our Horse, and penetrated through the *Prussian* Foot, because the Imperial Foot had mov'd to the Right to make an Aperture; but the Regiment of *Stareimberg* supported the *Prussians* with so great Bravery, that the Enemy was forc'd to give Ground, and by that Means the *Prussians* had Time to put themselves in Order again. In the mean while the Horse of the Left Wing advanc'd, and altogether put the Enemy to a second Rout.

At the same Time, Baron *Ruebinder* had likewise forc'd the Intrenchment; but the Prince of Saxe-Gotha met with greater Obstacles, being oblig'd for an Hour and a half to endure a great Fire, because he made his Attack by *Lucenta*, which Post the Enemy were at Hand to defend; notwithstanding which, his Highness stood it with extream Bravery, and gallantly repuls'd the Enemy's Horse, who had made an Opening for themselves on the Left Wing. In the mean time, the Enemy being still supplied with fresh Men, the Baron *Kriechbaum* and Count *Harach* supported vigorously the Prince of Saxe-Gotha, while  
Baron

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Baron *Isabath* with Major General *Bonneval* punctually executing their Orders, entred into Action likewise with the Enemy; and during this Fight near *Lucenta*, where was the Head of a Bridge of the Enemy's, a Cassine was forc'd, and a Battalion in it made Prisoners. The Imperialists lodg'd themselves in that Cassine, and took Post on the Right and Left towards the Intrenchment, to observe *Lucenta* in case the Enemy should have caused any Troops to advance on the other side of the *Doria*: But Order was sent, at the same time, to the Foot of the Right Wing not to attack *Lucenta*, that the Men might be spar'd, because it was perceived the Enemy were betaking themselves to Flight.

While the Right Wing was hotly engaged, the Allies continued to repulse the Enemy on the side of the *Stura* with great Vigour: But the French having rallied by forming a Line; having to deal only with our Horse, and having before them a long and spacious Ground, the Confederates were oblig'd to wait till the Foot came up with the Cannon, when they renew'd the Charge, and put the Enemy again into such Disorder, that though they had behind their Line another Intrenchment with several Redoubts, and several Cassines well fortify'd, they drove them from one to t'other, quite to their Bridge on the *Po*, and all yielded at Discretion. They beat them likewise out of *Lucenta*, in which was a great Magazine of Meal, Bread, and Biscuit, and forc'd them to abandon their Bridge on the *Doria*; but they having set Fire to *Lucenta*, the Allies found only what remain'd of the Provisions unconsum'd, which with what was found besides in their Camp, amounted to 3000 Sacks of Corn and Meal, and 2000 Sacks of Biscuit. Thus the Allies became Masters of all the Enemies Camp, between the *Stura*, the *Po*, and the *Doria*; wherein they took 39 Field-Pieces, and all the Tents,

In the mean Time, tho' the Enemy were intirely beaten, they ceas'd not to batter the Place till towards Night, when they were forc'd to abandon with Precipitation their Approaches, all their Cannon, Mortars, Ammunition, and Furniture of War, in great Quantity. But in their Flight they set fire to

to several Magazines of Powder, Bombs and Grana-  
does, which they had in divers Places, and blew  
them up one after the other. However, the Allies  
found themselves in Possession of above 100 Pieces  
of Cannon, of different Bore, with a great Number  
of Prisoners, among which were 5 or 6 Generals;  
particularly the Marshal de Marcin, who having re-  
ceived a Mortal Wound in the Battle, desired that a  
Guard might be sent to the Place where he was laid,  
which was immediately granted. They took also  
several Standards, Colours, Kettle-Drums, and other  
Trophies of War, besides the Booty they made of  
a great Quantity of Baggage, and the Horses of 10  
or 12 Regiments of Dragoons, who had alighted,  
and were obliged to abandon them.

On their side, the Confederates lost in the begin-  
ning of the Battle, Colonel *Hofman*, the Prince of  
*Beveren* Colonel of *Wolfsbustel*, and Lieutenant Co-  
lonel *Neistein* of *Wirtemberg*. Wounded, Major Ge-  
neral *Kriechbaum* slightly, the Majors General *Stillen*  
and *Hagben*, with the Colonels *Riedt*, *Salmat*, and  
another of the *Prussians*: Besides whom they had  
many inferior Officers kill'd or wounded.

This great Action lasted till Night, because of the  
Intrenchments, Redoubts, and fortified Cassines,  
whence they were obliged to beat the Enemy suc-  
cessively; whereby the French gain'd the Night,  
which was the more favourable to their Flight,  
because the Confederate Troops had need  
of Rest. However, They did not neglect to  
send several Detachments in Pursuit of the Run-  
aways.

In this Battle, which at first was no less du-  
bious, than afterwards decisive by a compleat  
Victory, the Duke of *Savoy*, did not spare his  
Royal Person, but expos'd himself in the thickest  
Fire, for the Good of the Common Cause, and  
the Welfare of his Dominions; having himself led  
on his Troops, and given necessary Orders every  
where to the End of the Action. Prince *Eugene* act-  
ed like Himself; and all the other Generals after  
his Example, as also the Officers and Soldiers did,  
on this Occasion, all that could be expected from  
brave and fearless Warriors; and 'tis easy to con-  
jecture

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jecture what Difficulties they had to surmount, as well by the Height of the Intrenchment, as because the Foot could not break in, till after they had levell'd it to open a Way for the Horse. The Generals of Foot did not signalize their Valour less than the 3 Generals of Horse, the Prince of *Hesse Darmstadt*, the Marquis *Visconti*, and the Marquis de *Longallerie*, as also Major General Count *Felz*, and all the rest, who besides their usual Valour, shewed admirable Conduct in this bloody Action.

*The Duke of Savoy and Prince Eugene enter Turin.*

It is difficult either to conceive or express the Excess of Joy which this wonderful and glorious deliverance spread through the City of *Turin*, which being reduced to the last Extremity, beheld, soon after the Action, his Royal Highness and Prince *Eugene*, enter their Gates in Triumph, in order to go and render Solemn Thanks to God in the Cathedral of *St. John*. They were welcomed with a Salvo of all the Artillery, in which the small Remainder of Powder was spent: And by this it is easy to Judge both of the extream Danger the Town was in, and of the Seasonableness of the Relief. We must not omit this Occasion to give due Praise to Count *Dawn*, General of the Artillery, who for above three Months defended that Capital City with all imaginable Valour, Conduct, and Vigilance. The Army encamp'd that Night on the Field of Battle, the Right Wing towards the old Park, the Left towards *Lucenta*.

The 8th upon Advice receiv'd the Evening before, That the Enemy was marching on the great Road of *Orbassan* to *Pignerol*, and that their Troops posted on the Mountain beyond the *Po*, under General *Albergotti*, took the same Route; his Royal Highness and Prince *Eugene*, who went to discover them on an Eminence near *Valentin*, perceiv'd that they had actually pass'd the *Po* over their Bridge at *Caverotto*, to which they set Fire; but some Men got thither in time, to extinguish it, and preserve the Bridge. Several Detachments were made to observe the Enemy during their Retreat; and there arrived in the Camp a great number of Deserters, Prisoners and Baggage, which confirm'd the great Confusion and Loss sustain'd by the Enemy. The Marshal de  
*Marcin*,



*Marcin* dy'd that day of his Wounds, and Count *Hatbach* was dispatch'd to carry the News of this great Victory to *Vienna*. The 9th several other Prisoners were convey'd to the Camp, with a great quantity of more Baggage taken from the Enemy, who had likewise left behind them all their Cannon in the Mountains beyond *Turin*. The Detachments, especially that of the Marquis *de Langallerie*, took many Prisoners from the Enemy.

The French being sensible, that it was impossible French to conceal their Loss, endeavour'd at least to palliate it by giving out, 'That on the 7th of September, the Duke of Savoy and Prince Eugene, after having pass'd the Po and the Doria, attack'd the Intrenchments that had been made between the Doria and Stura: That they were defended for near two hours by the Duke of Orleans, who every where animated the Troops by his Example; That they were much inferiour to the Enemy, because of the great Body of Foot which had been left on the Hill of the Capuchins, and several other Posts. That the Duke of Orleans fired thrice like a Grenadier, and receiv'd a Wound in his side, another in his left Arm, and three Contusions by shot on his Armour; That he fired twice after he was wounded, and reproached some Troops for not doing their Duty; That among the rest, he was very rough with one Mourfy, Commander of the first Squadron of Anjou, who forbearing to fall on when the Duke bid him, enraged him so, that he gave him four or five cuts in the Head and Face with his Sword; That his Royal Highness being obliged to retire to have his Wounds dress'd, the Enemy improv'd that Occasion got into the Intrenchments, and put some Troops into Turin; That part of the Army retir'd towards Pignerol, under the Command of the Marquis de St. Fremont, who brought up the Rear, and that the other Part, that was posted on the Hills of the Capuchins on the other side of the Po, had join'd the Duke of Orleans under Pignerol, commanded by Count Albergotti and the Sieur Dancour; That several Officers were kill'd and wounded in this Action, and among them the Mareschal de Marcin, who being dangerously wounded was taken by the Enemy, and 'twas thought

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thought was dead of his Wounds. And lastly, that they did not yet know the Particulars (A) of the Loss, but only that that of the Enemies was much greater.

The Falsity of this Account appears by several authentick Letters from Persons above the Temptation of Wronging the Truth. Among the rest, the Duke of Savoy communicated this great Success to the States General, by the following Letter. Turin;

(A) Account of the Kill'd, and of the Prisoners taken from the French, as likewise of the Cannon, Mortars and Ammunition abandon'd by them before Turin, Transmitted from that Capital the 25th of September, and reckon'd Authentick.

Mareschal de Martin Prisoner, and afterwards died of his Wounds; Messieurs de Murce, de Villiers, de Sannetterre, Marshals de Camp. The Marquis de Benneval, taken by his Brother; 8 Colonels, 12 Lieutenant Colonels, 6 Majors, 98 Captains, 111 Lieutenants, 34 Cornets and Ensigns, 30 Ingeniers and Commissaries, 6341 Soldiers taken on the Mountain, at Quieri, and near Susa. 1300 taken of the Garrison of Chiavasso: 6704 Soldiers kill'd in the Battle: In all, Prisoners and Kill'd 12670. 255 Pieces of Cannon, 108 Mortars, 7800 Bombs, 3200 Royal Grenadoes, 7500 Hand-Grenadoes, 48000 Cannon Bullets, 86000 Quintals of Powder. All their Tents and Baggage; all the Money to pay their Troops; 5000 Horses, Mules, &c.

An exact List of the Slain, Wounded, Prisoners and Deserters, out of the the Garrison of Turin, during the whole Siege.

| Of the Imperial Troops. |         |      |       | Out of the Troops of Savoy.            |         |  |       |
|-------------------------|---------|------|-------|----------------------------------------|---------|--|-------|
|                         | Kill'd. |      | Woun. |                                        | Kill'd. |  | Woun. |
| Lieutenant-Colonels     | 1       |      |       | Colonels                               | 0       |  | 2     |
| Majors                  | 2       |      |       | Lieutenant Colonels                    | 1       |  | 1     |
| Captains                | 8       |      | 7     | Majors                                 | 2       |  |       |
| Lieutenants             | 6       |      | 13    | Capt. & Lieutenants                    | 12      |  | 31    |
| Ensigns                 | 3       |      | 11    | Ensigns                                | 7       |  | 6     |
| Warrant Officers        | 291     | 558  |       | Private Men                            | 1303    |  | 1721  |
| and private Soldiers    |         |      |       |                                        |         |  |       |
|                         | 311     | 589  |       | Private Men Prisoners.                 | 49      |  |       |
| Taken Prisoners.        |         |      |       | Deserted                               | 1958    |  |       |
| Captain                 | 1       |      |       | Total                                  |         |  | 5093  |
| Private Soldiers        | 3       |      |       | Disappointed Men                       | 141     |  | 154   |
| Deserted                | 122     |      |       | Out of the Men belonging to Artillery. | 71      |  | 75    |
| Total                   |         | 1026 |       | Deserted                               | 47      |  |       |
|                         |         |      |       | Total of all                           |         |  | 6667  |

*Queen A N N E's Reign.*

*Turin, September 8. 1706*

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*High and Migbey Lords,*

**H** Heaven having blest Us with a compleat Victory over the Army of our Enemy, our first Care is to inform your High Mightinesses of it. We leave the Particulars of this great Action to be related to you by Baron *Hohendorf*, and by the Marquis *du Bourg*, intending only by this Letter to assure your High Mightinesses of our Sincere Acknowledgment of the Generosity with which your High Mightinesses have been pleas'd to succour Us in our most extreme Necessity, and to contribute so much to the Deliverance of Us and our State. We shall ever continue with the same Zeal to sacrifice our selves, for promoting to the utmost the Common Cause, which Cause requires that the Body of the *Hessians* should winter this Year in *Italy*; and then we might be sure to make a speedy End of the War here. The Reasons for this are too weighty for us to doubt that your High Mightinesses will use your Endeavours to effect it, as we most earnestly beseech your High Mightinesses, referring our selves farther to what the Marquis *du Bourg* shall, on our Part, remonstrate at large to your High Mightinesses on this Subject. We wish your High Mightinesses may abound in Compleat Successes, and shall always be more than any other Person,

*High and Migbty Lords, Your very affectionate Friend,*

V. Amedeus.

At the same time Prince *Eugene* wrote to their High Mightinesses, in these Words:

*My Lords,*

**T** He Bearer hereof, will give your High Mightinesses an exact Account of the Defeat of the Enemy's Army under *Turin*, and of the raising of the Siege of that Capital. The Troops of your High Mightinesses contributed so much to this great Victory, that I think my self obliged to acquaint your High Mightinesses therewith. The

*The Duke of*

*Savoy's*

*Letter to*

*to the*

*States Gen*

*para..*

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Generals, Officers, and Soldiers of those Troops signaliz'd themselves eminently, and your High Mightinesses have the Honour of succouring so seasonably the Army of his Imperial Majesty and his Royal Highness, which was like to be soon oppress'd by so great a Superiority of the Enemy's Troops: For this your High Mightinesses will be pleased to allow me to thank you, and to congratulate with you upon so great Success, which without doubt will contribute much to the Tranquillity and Peace of Europe, assuring you that no Person is with more Respect,

My Lords,

Your High Mightinesses Humble and  
Obedient Servant,  
Eugene de Savoy.

Prince William of Saxe Gotha, did also impart that good News to the States General by the following Letter,

Turin the 8th of September, 1706.

High and Mighty Lords,

As also of  
Prince  
William  
of Saxe  
Gotha.

I Do my self the Honour to acquaint your High Mightinesses with the Glorious Victory we gained Yesterday, when our Army forc'd the Enemy's Lines before this City. The Battle began about 11 a Clock, and lasted but two Hours, yet I can assure your High Mightinesses that we sustained a great Fire from the Enemy's Artillery and Musquets. I had the Honour to command the foremost Brigade of Foot on the Right Wing, where my Brother's 2 Battallions that are in the Service of your High Mightinesses were likewise, and were not wanting to do their Duty very well. 'Tis true, I was twice repuls'd, because I found Horse on the other side of the Intrenchment; but I led on my Men a 3d Time, and the 2d Line supporting me, we enter'd at the same Time as the Left Wing did, and pursu'd the Enemy so hard, that they were all dispers'd; our Horse pursu'd them afterwards, and are still following the Runaways.

The Enemy have abandon'd all their Lines, and are retir'd in great Disorder, having left us above 2000 Prisoners and 120 Cannon, which we found in

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in their Lines, and before the Town, besides what we find hourly. 'Tis computed that of our Army 2500 Men were kill'd or disabled, tho' we cannot yet know the exact Number: My Brother's Regiments suffer'd very much, and lost several Officers, of whom I will send a List to your High Mightinesses by the first Opportunity: We took several Generals Prisoners, among others the Marechal de Marfin, who will quickly die of his Wound, if he be not dead already; The Duke of Orleans was wounded twice. God has bless'd the Arms of the Imperialists and the Allies by giving us a complete glorious Victory.

'This is all that I can write in haste to your High Mightinesses; the Count de Harrach, his Imperial Majesty's Major-General, is setting out this moment for Vienna, with this good News; I am obliged to take the Opportunity of sending by him, having no other. I am with very great Respect.

Your High Mightinesses, most Humble,

and most Obedient Servant,

J. William, D. de Gotha.

P. S. The Baron de Bette, whom your High Mightinesses sent as your Commissary into this Country, is dangerously wounded, and 'tis fear'd will die.

On the 21st of September, N. S. the Baron de Hendorf, Aid-de-Camp General to Prince Eugene, arriv'd at the Hague, and, being, the next morning, admitted to the Audience of the States General, deliver'd to them the Duke of Savoy's and Prince Eugene's Letters, and gave them an Account of the Disposition made for the Relief of Turin, and of the memorable Victory obtain'd on that occasion, in the following manner:

Baron Hendorf's

Account of the Battle

of Turin.

High and Mighty Lords,

I Am very happy in being chosen by his Royal Highness the Duke of Savoy, and by his Highness Prince Eugene, to bring your High Mightinesses the News of the glorious Victory which they gain'd over the Enemy the 7th of this Month, in the Neighbourhood of Turin. His Royal Highness, and Prince Eugene, hope you will take

R.

no

A. C. 1706. *no less part in their Good Fortune, than you have in their Glory, by the great Succours you so generously sent to the Prince, who of all the World, most deserves them. At length, after having pass'd 4 great Rivers, which serv'd for Ditches to the 4 Intrenchments the Enemy had made to hinder our Passage, at length, after 34 marches, our Army arriv'd near Turin the 30th of August.*

*The 1st of September his Royal Highness join'd us with his Horse, and the whole Army pass'd the Po the 4th between Moncalier and Carignan, towards Quiers; 4 Battalions, and 10000 Militia, were left under the Command of Count Santona, with a certain quantity of Powder to be thrown into Turin, in case the Enemy should quit the Hill, to oppose our Army with all their Forces.*

*The 5th we encamp'd near the Doria, and his Royal Highness having Intelligence, that a Convoy of 1300 Mules was coming from Suza, he caus'd the Marquis de Visconti to pass the Ford of Elpignan, with the Horse of the first Line of the Left Wing, and the Marquis de Langallerie to pass below Pianessa, with the Horse of the second Line of the same Wing, and so the Convoy being then come into the Neighbourhood of that Town, was enclos'd between them. M<sup>r</sup>. de Bonel, who commanded the Guard of the Convoy, was beaten, and the Regiment of Chatillon intirely defeated; that Day 800 loaded Mules were taken, and at Night the Castle of Pianessa, into which the rest of the Convoy, and of the Regiment of Chatillon had escap'd, surrendered with its Garrison consisting of 80 Foot, at Discretion.*

*The 6th we pass'd the Doria, and encamp'd with the Right on the Bank of that River before Pianessa, and the Left on the Stura before the Venerie. At night all were order'd to be ready to fight the next Day, which Order was receiv'd with inexpressible Joy.*

*The 7th at Day-break we march'd to the Enemy, who were intrench'd up to the Teeth, having the Stura on their Right, the Doria on their Left, and the Convent of Capuchins of La Madona di Campagna, in the Centre; besides, Luscingo and several other fortified Cassines flank'd their Intrenchment. Our Foot march'd in 8 Columns, 4 in the first Line, and as many in the second, all the Grenadiers of each Column in the Van; the Artillery was divided in proportion among the Foot; our Right*

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Right mov'd along the side of the Doria, and our Left along the Stura; behind the Foot march'd the Horse; the first Line in 6 Columns, the second in Brigades.

Never was any thing seen so bold and terrible as this March. The Enemy fir'd continually with 40 pieces of Cannon, but all that Fire serv'd only the more to inflame our valiant Soldiers.

Within half Cannon Shot we form'd into Battalia; all the Generals took their Post; our Cannon began to fire, and all the Instruments of War to sound. Due Distance was left between our Brigades of Foot, to let the Horse pass through on Occasion, and this precaution prov'd of great Advantage to us. The Word was given that all was ready, and in a moment we mov'd at once, the Foot with their Pieces shoulder'd to the Foot of the Intrenchment. Then began the great Fire of Musquets, and our Left, by reason of the uneven Situation of the Ground, sustaining solely the resistance of the Enemy, were stop'd a little, yet without giving Ground; but Prince Eugene coming, drew his Sword, and putting himself at the Head of the Battalions of the Left, in an Instant made his Way into the Enemy's Intrenchments. His Royal Highness did the like in the Center, and our Right near Luscingo: In Conclusion we triumph'd on all Sides, and, at the same time, our Horse advancing thro' the Intervals left for them, was no longer a Fight, but a pursuit of Runaways; our Horse counted it a Scandal to their Valour, to cut down Men that fled with so great precipitation, and this saved many of the Enemy's Lives.

By Noon the Victory was compleatly ours, and the City intirely deliver'd, for the Enemy abandon'd the Attack, and all their Camp, and retir'd with the Remains of their Army to the other side of the Po. The rest of the Day was spent in taking several Castles and Redoubts possessed by the Enemy, who all yielded themselves Prisoners of War, and his Royal Highness entred triumphantly his Capital that Evening.

High and Mighty Lords, This is a true Relation of what our Army has done in Piedmont: I forbear to speak of the Actions of the two great Princes that commanded it, being at a loss for Words to describe them. I have the Honour to be sent hither, rather to publish the eternal Acknowledgement they promise you, than the great Valour by which they have render'd themselves worthy of your

R

Friend

A. C. Friendship. I do it by these Lines, professing my self, at  
1706. the same Time, with most profound Respect,

High and Mighty Lords,

Your most Humble and

Most Obedient Servant,

DE HOHENDORFF.

The States  
General  
Letter to  
the Duke  
of Savoy.

The States General return'd the following Answer to the Duke of Savoy's Letter.

Most Serene Duke,

THE Joy that has flow'd in upon Us from several good Successes this Campaign, has hitherto been pall'd and imbitter'd, by the Remembrance of the extream Danger your Royal Highness, and your Dominions were in, which took away the Sweets of the greatest Satisfaction that we could otherwise have relish'd; but, at length, Thanks to the Almighty, we are freed from that Disquiet, by the Great and Glorious Victory, with which the Divine Goodness has Crown'd your Generous Firmness; and, of which you have been pleas'd to inform Us, in a most obliging Manner, with which we are extreamly Affected. Your Royal Highness's Letters, and the Place alone from whence 'tis dated, had been sufficient to make us sensible of the Importance of this Memorable Event; but the Relation and Particulars added by Baron Hohenidorf, have given us a more distinct and agreeable Idea of a Battle, which, as it will immortalize the Glory due to the Greatness of your Courage and Valour, so we hope and wish, will not fail to restore your Royal Highness to all your Dominions, as it has to your Capital City. With Hearts o're-fill'd with Joy, we Congratulate your Royal Highness on a Success so Happy, and so Advantageous to your own Affairs, and to the Publick. We further rejoyce, to see that your Royal Highness is satisfy'd with our Succours: We sent them with a good Will, and they would have been greater, had our Strength permitted it; for we are perswaded, too much cannot be done for so good and stedfast an Ally as your Royal Highness: With these Sentiments, We will, without Delay, consult her Majesty of Great Britain on your Request, That the Troops of Hesse may Winter in Italy; and for our own Part, will do all that can be done: For we desire nothing more, than still to give your Royal Highness most convincing Proofs,

of



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of the High and Inviolable Esteem we have for your Person, Friendship, and Heroick Vertue: Of which we beg your Royal Highness to rest assured; as also of the Ardour and Sincerity of the Wishes we make for your Prosperity, and of the Reality with which we are, &c.

Hague, Sept. 22, 1706.

Their High Mightinesses Letter to Prince Eugene, was to this Effect:

S I R,

**W**E thank your Highness for Acquainting Us your self, by your Letter, and by Baron Hohendorf, Eugene. with the Defeat of the Enemy's Army in Piedmont, and the Raising of the Siege of Turin. We Congratulate your Highness with all our Hearts, upon a Success so Happy, and so advantageous to the Publick Good, and to which you have so much contributed by your Vigilance and Valour. The Expedition, with which your Highness march'd towards the Enemy, the Difficulties you have overcome, and which appear'd insuperable, and the Prudence and Courage with which you attackt, and forced the Enemy in their Intrenchments, will make your Glory and Fame Immortal to all future Ages. We are very glad to hear, the Troops we sent to your Highness have done their Duty, and merited your Approbation in so great a Battle. When we sent those Troops, we were entirely perswaded, that they could not be more usefully employed, than under the Conduct of so great a Captain: The Event has made good our Opinion, which was justly grounded on your past Actions. We beseech the Almighty to bless your Highness more and more in your Enterprizes, and hope you will believe, that none can be with more Esteem and Sincerity your Highness's, &c.

Hague, Sept. 22. 1706.

The Baron de Hölendorf having perform'd his Commission at the Hague, went to the Army in Flanders, to make his Report, and deliver his Letters to the Duke of Marlborough: Which done, he sail'd for England, with other Letters to Her Britannick Majesty. Before his Arrival, the joyful News of the compleat Victory, obtain'd over the French in Piedmont, was brought to London; whereupon

A. C. upon Mr. Secretary *Harley* wrote the following Letter to the Lord Mayor of that City,

1706.

My LORD,

*Mr. Secretary Harley's Letter to the Lord Mayor, about the Battle of Turin, Dated at Her White-hall, Sept. 14. 1706.*

HER Majesty having receiv'd an Account, That *Dendermond* Capitulated the 5th of this Month, (N. S.) as also, of a Signal and Glorious Victory, obtain'd by his Royal Highness the Duke of Savoy, and Prince Eugene, on the 7th, when the French Army was totally routed, and Turin reliev'd; being assured, that this great Success, of Her Majesty's Arms, and those of Her Allies, will be extraordinarily acceptable to Her Loyal City of London; I am commanded to signify the same to your Lordship, that those, who have so readily contributed to the late Loan, for Prince Eugene, may see how gloriously that Money has been employ'd, I am,

My Lord,

Your Lordship's most Faithful  
and most humble Servant,  
*Robert Harley.*

The Troops of the King of Prussia, having very much contributed to the Victory gain'd before Turin, the Duke of Savoy wrote the following Letter of Thanks to their Master.

S I R,

*The Duke of Savoy's Letter to the King of Prussia.*

I Cannot neglect doing my self the Honour to send your Majesty the agreeable News of the signal Victory which Heaven granted us Yesterday over the Enemy's Army, of which was entirely beaten in their own Lines, before this

Place, seeing your Majesty's Troops had so great a share in it; and I cannot sufficiently commend the Bravery they shew'd, and the eminent Valour, with which the Prince of Anhalt led them. To this, your Majesty will allow me to add the most sincere Professions of the unfeign'd Acknowledgment which I shall ever preserve for so many Obligations as I have to you; and to assure your Majesty, that I shall never have a stronger Passion for any thing, than by Deeds to convince you more and more of this Truth, and of the perfect Affection with which I am, and shall be always, more than any other Person,

Your Majesty's most devoted  
Servant and Cousin,

Turin, Sept.  
8. 1706.

*V. Amedee.*

While

While all the rest of Europe rung with the wonderful Successes obtain'd by the Duke of Savoy and Prince Eugene, the French Court endeavour'd to keep off the Report from the Ears of their People, by making a mighty Noise about a small Advantage gain'd, (two Days after the Battle of Turin) by the Prince Count Medavi; over the Hereditary Prince of Hesse. About the latter end of July, his Highness arriv'd at Lombar-Verona, where he found the 6000 Imperialists Prince Eugene had left near that Place, under the Command of Baron Wetzel, a Major General; and staid there some Days, expecting the coming up of the Hessians. Upon certain Information that the Enemy had quitted the Mincio, he made a Detachment to secure the Passes on that River, which design was put in Execution the 8th of August, N. S. on the side of Valegio, without the least Opposition. This done, his Highness caus'd the Bridges, which the Enemy had broke down to be repair'd with all speed, and left there five Imperial Regiments, under the Command of Major-General Wetzel; who, notwithstanding the several Motions the Enemy made to give him the Alarm, continued very quiet in his Post. Hereupon the Hereditary Prince of Hesse pass'd the Adige, (the 13th of the same Month) with all the Hessian Foot, 3 Regiments of Horse, and one of Dragoons, (that of General Spiegel, and the Dragoons of Averoch, being still behind on the side of Roveredo,) and encamp'd at Paveano, within three Leagues of the Mincio. A Week after, his Highness wrote the following Letter to the States General, about his further Progress, and the Taking of Goito:

High and Mighty Lords,

I Give my self the Honour to acquaint your High-  
 tinesses, that I have receiv'd an Express from Prince the States  
 Eugene of Savoy, with Letters dated the 16th Instant General.  
 from his Camp between the Lenza and Parma, wherein  
 his Highness gives me Advice, that after having taken  
 Reggio, he is advanced that way, with the Resolution of  
 Marching to the Assistance of the Duke of Savoy, whose  
 Capital City is in greater Streights than ever, the En-  
 emes having redoubled their Fire and Efforts to reduce it.  
 His Highness has sent me Orders to use all possible En-  
 deavours.

A. C. 1706. *deavours to gain the Communication with the Po, and closely follow the Enemy, who march'd on this Side of that*

*River. Having in order thereunto pass'd the Mincio, and join'd the 16th Instant, Major General Wetzell, with the whole Body of Hessian Troops, I encamp'd in this Camp the 17th, and the same Day went in Person to take a View of Goito, having detach'd the said Major General to Invest that Place with 1800 Foot, and 1000 Horse. I found that the Place had a large Ditch, a thick Wall, 4 Bastions and a Ravelin, and I caus'd the Troops to take Post in two Places on the very top of the Ditch. I caus'd 8 small Field Pieces (all the Artillery that I had with me) to batter the Walls, but that being without any effect, I resolv'd to scalade the Place, and*

*Goito to take it by Storm. The necessary Preparations were making*  
 19. N. S. *for it, when the Governor fearing the Consequence of that*

*Attack, surrendred last Night, upon condition to march out with Arms and Baggage, and be conducted to Cremona, which will be executed this Day. The Garrison consisted only of 200 Men. I was oblig'd to take this Place, that I might have no Enemy behind me, upon my Marching towards the Po or Oglio, where the Enemy, as I am Informed, have left 9000 Men to oppose my Passage; with the Success of which, I shall acquaint, in due time, your High Mightinesses. I am, &c.*

*At la Volta, Sign'd*

August 20. *FREDERICK, Prince of Hesse.*

*The Prince of Hesse* Not many days after the taking of Goito, the Prince of Hesse laid Siege to Castiglione della Stiviere, but oblig'd to Count Medavi having drain'd the Garrisons of several Places, fell upon him unawares, and forc'd him to an Engagement, in the beginning of which, his Highness behaving himself with his usual Valour, had all the Advantage; took some Cannon from the Enemy, and turn'd 'em against themselves; but the French, who were much Superior in number, renewing the Charge, and being like to surround him, his Highness was oblig'd to retire to Valeggio, which he did in good Order, and without any Interruption from the Enemy; so that this Action had no other ill Consequence, than to retard the taking of Castiglione, which soon after fell of Course.

However the French magnify'd this Advantage to an extravagant degree: Giving out, That the 16th of September, N. S. Monsieur de Grancey brought the News of a Victory won by the Count de Medavi the 9th, between Castiglione delle Stiviere and Guidizzolo; That the Prince of Hesse Cassel had attack'd Castiglione, and taken the Town, and was attacking the Castle, when Count de Medavi appear'd, advancing in Battalia with Forces inferior to the Prince, who met him with his Army, 800 Men excepted, whom he left in the Town of Castiglione; That the Fight began at Two in the Afternoon, and after some Resistance, the Imperialists were intirely defeated, with the loss of all their Battering and Field-Pieces, their Ammunition and Baggage; and that the Count de Medavi had driven them above two Leagues up into the Mountains, and to the Lake de Guarda. In a subsequent Account, they added, That the 20th, the Sieur de Ceberet arriv'd at Court with 33 Standards, and 23 Colours taken from the Enemy; That their loss was very much augmented in the Pursuit; That they had 3000 Men kill'd, and 3500 made Prisoners, besides the Straglers kill'd by the Peasants: That all their Artillery, in number 14 Pieces, was taken with the Ammunition, Provisions, and Baggage; That they were pursued over the Mincio; And that they had repass'd the Adige, and broken their Bridge, over which no more than 1800 Horse, and 600 Foot had pass'd. All the World wonder'd to see, that the French Court were so modest as not to engage their Monarch, to cause Te Deum to be sung in as Pompous a Manner, as he had done in the Beginning of the Campaign of Italy, for the Victory of Calcinato.

But how much their Accounts of this last Advantage was exaggerated, plainly appears by the following Letrer from the Prince of Hesse, to the States General:

High and Mighty Lords,

I HAD the Honour to acquaint your High Mightinesses with the Reasons, upon which the Siege of Castiglione was undertaken; and as I am directed by Prince Eugene of Savoy to rely upon the Medoli

The Prince of Hesse's Letter to the States

General about the Battle of Castiglione, or the Medoli

A. C.  
1706.

the Intelligences, I shall from time to time receive from Major General *Wetzell*, who has join'd with some thousand Men the *Hessian* Troops, and whom his Highness has appointed to assist me with his Council, as being an Officer, who knowing exactly the Country, was able to have private Correspondence in several Parts of *Lombardy*, I was induc'd to continue the Siege for four Days. Mean time being inform'd by the Parties I sent abroad, that the Enemies were assembling all their Troops with a design to engage us, I thought fit to take the Opinion of the General Officers, and according to their Advice, I resolv'd to take Measures to prevent the Designs of the Enemy; but Major-General *Wetzell* being perswaded that the Advices I had receiv'd were false, and spread by the Enemies themselves to oblige me to raise the Siege, was of another Opinion, and insisted on the continuation of the Siege. 'Tis true, we might have had time enough to reduce the Place, before the Enemies could relieve it, had we not wanted Artillery; but 6 Days after the opening of the Trenches, 2 Battering-pieces only were brought into the Camp, whereof one bursted after some few Shots. The Term of 4 Days, in which the said Major-General had promised to take the place, being expired, and two Days longer being elapsed, I was of Opinion to send for no more Artillery, because of the repeated Advices I receiv'd of the Strength of the Enemy; but on the 9th Instant we received 4 other Pieces of Cannon, and Major-General *Wetzell* persisted in his former Opinion of continuing the Siege, and pretended that the Enemies had a Design upon *Gaito*, and that we had nothing to fear. Being unwilling wholly to rely upon his Intelligences and Arguments, I daily sent Parties abroad to patrol between our Camp and the Enemies, but they could never get any certain Account of their Number; the Country People, out of Fear or Inclination, feigning to have no Account thereof. The 8th at Night, one of the Parties I had sent out, brought me word, That the Enemies were marching towards *Gaito*, whereupon I immediately detach'd a Major of the *Hessian* Cavalry with 200 Men, with Orders to

observe

' observe their March. They fell in with some  
' Squadrons of the Enemy, and beat them to their  
' Camp, which was then between *Goito* and *Medoli*.

' The 9th the Right Wing of the Enemy ap-  
' pear'd in sight in the Plain of *Goito*, and the Body  
' of Battel with the Left Wing march'd along the  
' Hedges and Vineyards to cover their Numbers,  
' advancing directly towards our Camp. I called  
' then the General Officers to consider whether it  
' was more advantageous to expect the Enemy in our  
' Camp, or march out with our Army, (hardly  
' 9000 Men,) to attack them, in order to encour-  
' age our Men. We resolv'd upon the latter, con-  
' sidering that if we continu'd in our Camp, and had  
' the Misfortune to lose the day, our Retreat was  
' cut off, and therefore we advanced towards the E-  
' nemy, and drew up directly against them, stretch-  
' ing our selves towards *Medoli* and *Gaviana*. The  
' Fight begun between 12 and 1 at noon, and with so  
' much Success on our side, that the *Hessian* Infantry  
' broke through the Body of Battel of the Ene-  
' my, and seized 15 Pieces of Cannon from which  
' they fired upon the Enemy, while the Cavalry of  
' the Left forced the Right of the *French* to give  
' Ground. They had 3 Lines besides a Body of Re-  
' serve and we had but 2, and besides, their Left  
' stretch'd much farther than our Right, and was in-  
' termix'd with Infantry, and this gave them an op-  
' portunity to attack our Right in Flank, and not-  
' withstanding their vigorous resistance, they were  
' put into Disorder, and fell amongst our Infantry  
' which was thereby put into Confusion. To reme-  
' dy that Disorder as much as possible, I took the  
' Colours of one of the Battalions of the Right,  
' and exhorted them to do their Duty, but that was  
' to no purpose; I was speaking to new-raisd Men,  
' who had never been in any Engagement, and who  
' would not hearken to me.

' Mean time the Enemy improving this Advan-  
' tage, crowded upon our Left, and dispersed them,  
' so that I was oblig'd to quit the Advantage I had  
' gained in the Center, and think of retreating, which  
' I did about 4 of the Clock, and retir'd to *Valeggio*,  
' that the Enemy might not cut off our Provisions.  
' The *French* pursu'd our Rear, but without any  
' Suc.

A. C.

1706.



Success. We have lost in this unfortunate Battel a great many brave Officers and Soldiers, of which I will send a List by the first Opportunity, having not yet any Account of the Number. A Trumpeter who is come hither from the French Camp reports, that they have suffer'd very much, and especially their Foot. The Enemy advancing with all their Forces to *Valeggio*, to cut off my Communication with the *Adige*, I have repass'd that River this day, in order to take such Measures as the present Circumstances, and the Reasons of War, will permit. I am, &c.

At St. Martin, near  
Verona, Sept. 11.

Sign'd,  
Frederick, Prince of Hesse.

The States  
Letter to  
the Prince  
of Hesse.

The States General being inform'd of all the Particulars of the Battle of *Medoli*, sent the following Letter to the Prince of *Hesse Cassel* on that Subject,

*Illustrious Prince,*

WE have received your Highnesses Letter of the 11th of this Month and are thereby inform'd, at large, of what pass'd the 9th between the Body commanded by your Highness, and the Enemy, and of the Issue of that Action, by Reason of the Superiority of the Enemy, to the Disadvantage of the Troops under your Highness. The Disaster that has befallen your Highness, and the Troops under your Command, is casual. We look upon it as a Mischance, and hope the Consequences of it will be lessen'd, and the Damage easily made up by the great Victory obtain'd over the Enemy before *Turin*. We are thoroughly perswaded, that this Blow was not occasion'd by any Want of good Intention, Zeal, or Courage in your Highness; and we wish your Highness may be more Fortunate in other Occasions. In the mean time, we recommend to your Highness to take all necessary and possible Care to re-establish the Troops, and we hope this Misfortune will not in the least damp your Zeal for the Common Cause, but rather inflame it, and excite you to repair the Loss as soon as possible; assuring your Highness that it has made no Alteration in the Esteem and Affec-

on



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'on which we ever had, and still have for your High-  
'ness. We remain, Illustrious Prince,  
Your, &c.

A. C.

1706.

Hague, September 22. 1706.

Before his Highness receiv'd that Letter, he wrote  
this further Account to the States,

High and Mighty Lords,

'HAving received the News of the Glorious <sup>Another</sup>  
'Victory obtained by Prince Eugene over the <sup>Letter from</sup>  
'Enemy in Piedmont, I thought fit to march this <sup>the same</sup>  
'Way, for the better Subsistence of the Troops <sup>Prince to</sup>  
'under my Command, and to be nearer at hand, <sup>the States.</sup>  
'to receive his Highness's Orders to put them in Ex-  
'ecution as well as the present Circumstances will  
'permit. I intended to have sent before this time, to  
'your High Mightinesses a List of the Slain and Pri-  
'soners in the late Battle; but as a great many Men  
'(sometimes 80 together) daily return to the Camp,  
'and that I expect more, because they have been  
'obliged to take a great way about, to avoid  
'falling into the Hands of the Enemies, I could not  
'have yet an exact List, but I believe our Loss in-  
'cluding the Imperialists and all, will amount to  
'about 2000 Men, kill'd, wounded or Prisoners, of  
'which the latter, and the wounded, make the grea-  
'ter Number. I am, &c.

Sign'd FREDERICK Prince of Hesse.

Canda, Sep. 14. 1706.

His Highness did not continue long at Canda, but ha-  
ving pass'd the ~~Tertre~~ <sup>Progress of</sup> and the 2 Branches of the Po, <sup>the Duke of</sup>  
march'd up along that River toward the Cremonese <sup>Savoy and</sup>  
in order to join the Duke of Savoy and Prince Eugene, <sup>Prince Eu-</sup>  
who having given their wearied Troops some Days <sup>genc, af-</sup>  
Rest, and made the necessary Dispositions to improve <sup>ter the Bat-</sup>  
their Victory, and prevent the Enemies returning <sup>tle of Tu-</sup>  
into Piedmont, march'd the 13th of September, N. S. rin.  
from the Neighbourhood of Turin to Brandis, the  
14th. to Rondizzone, and the 15th. to Cigliano. The  
same Day in the Evening, the Count de Médavi ar-  
rived at Milan, to confer with Prince Vaudemont  
about means for covering that Dutchy, rightly judg-  
ing that the Allies would turn their conquering Arms <sup>This is</sup>  
that way. <sup>what the</sup> It was <sup>Vau-</sup> resolved, That the Prince of French <sup>give out.</sup>

A. C.

1706.

Prince  
Vaude-  
mont  
leaves Mi-  
lan.

Chivas ta-  
ken.

Novara  
taken like-  
wise. Sept.  
21. N. S.

Crescen-  
tino sur-  
render'd :  
and Fort of  
Bar aban-  
doned.

*Vaudemont* should continue to furnish the Places of Strength bordering on *Piedmont* with Ammunition and Provisions; That he should draw together the Troops of the *Milaneze*, and raise the Militia to guard the Passages; and that the Count *de Medavi* should send thither part of the Troops under his Command, and march thither in Person, with a greater number if necessity required: But it seems they did not find it feasible to pursue that Scheme, and a few days after, the Prince and Princess of *Vaudemont*, having sent away the best of their Furniture, and Effects from *Milan*, retired from thence to *Piccinighitone*; near *Cremona*, where Count *de Medavi* was advanc'd with Part of his Forces. On the other hand, the Confederate Army having rested the 16th at *Cigliano*, (where a publick Thanksgiving, attended with Military Rejoicings, was observ'd for the late Victory before *Turin*) march'd the next day to *San Germano*, whither the Lieutenant Colonels *St. Amour* and *Eben*, return'd from the Pursuit of the Enemy, who retir'd from *Pignerol* into the Mountains. The 18th the Army came to *Vercelli*, the Fortifications whereof they found entirely ruin'd by the Enemy; And the same Day Count *Conigseck* sent Advice, That he had taken *Chivas*; made the whole Garrison, consisting of 1265 Men, fit for Service, and 217 Sick, Prisoners of War; and found in the Place Twelve Battering Pieces of Cannon, 26000 Barrels of Powder, 7000 Cases of Leaden Bullets, and other warlike Stores. The 19th. the Army continued its march towards *Cameraano*, and the Duke of *Savoy* and Prince *Eugene* went to take a view of *Novara*, one of the principal Fortresses of the *Milaneze*, which the Marquis *de Langalerie* had invested. The 20th. the Army encamp'd in the Neighbourhood of that Town, which, at first, made a vigorous Resistance, but after three-days Siege, the Burghers, and other Inhabitants, disarm'd the *French* who were in the Garrison to the Number of 4 or 500, and obliged them to surrender at Discretion. The same Day they had intelligence, That the Garrison of *Crescentino*, to the Number of 160 Men, had also surrendred at Discretion; and that the Garrison of the Fort of *Bar*, had march'd out of that Place, upon the Approach of some Troops under the Command of *Mr. de St. Remy*. The 22d.

the

## Queen ANNE's Reign.

255

A. C.

1706.

the Army encamped at Trecate; the 23d at the Torre di Buffalo; and the 24th at Corsico, where the Troops rested the Day following. The Conde de Beaufort, Adjutant-General, was sent from thence with a Trumpeter to Milan; upon whose Arrival the Senate met, and in less than half an Hour's time deputed two of their Body, the Condes Baptista Scotti, and Uberto Stampa, to the Duke of Savoy's Camp; and his Royal Highness having settled the Capitulation (B) with them, the City Swore Allegiance to

(B) It is to be observ'd, that the Wording of the Capitulation admitted of some Difficulties. One of the Deputies insisted, That the Submission ought to be made to the King of Spain, as well as to the Emperor; but this was rejected for some Reason, which may be easily guess'd at; and it was propos'd as an Expedient, that the Name of the Emperor should be us'd, together with this Addition, and the most August House of Austria, which was accepted. The Capitulation was as follows:

**T**HE City and Duchy of Milan being, thro' the Approach of the Imperial Troops, to their unspeakable Joy, at Liberty to express their Ancient and Inviolable Loyalty to the most August House of Austria, which the several States of this Duchy have ever profess'd, they have in pursuance of their Act of the 23d of this Instant September, deputed Count Giovanni Baptista Scotti, and Count Uberto Stampa, to give in their Names, the due Marks of their Obedience to the said most August House, and to put themselves again under its most Happy and Lawful Government. The said Counts accordingly being come to this Camp, to attend his Royal Highness, Commander in chief of his Imperial Majesty's Army in Italy, and to give his Royal Highness, in the Name of the said City and Duchy, this Publick and Real Demonstration of their Submission to the said most August House, which they promise to obey, and to maintain that Loyalty thereunto they have always preserved in their Hearts, and will openly profess for the future, as becomes good and faithful Subjects. All which being understood by his Royal Highness, with particular satisfaction, he declares in the Name of his Imperial Majesty, and the said most August House, that he accepts this Testimony of their Obedience, and receives the said City and Duchy of Milan, under the most powerful Protection of his Imperial Majesty, and the said most August House, with whom his Royal Highness will intercede in a most earnest manner, to the end they may find the Effects of their Goodness and Generosity, that are so natural to the said most August House, towards this State and People which are under its Dominion.

Done at the Camp  
at Corsico, Sept. 24th, 1706.

Sign'd,

Amedeo.

C. Baptista Scotti,  
C. Uberto Stampa.

A. C. to the Emperor. The Inhabitants of *Milan* were the more forward in making this Step, by reason of the Disgust they had taken against the Marquis de la Flo-  
 1706 *The City of rida*, Governor of the Castle, who contrary to the *Milan sub-Rights* of the *Spaniards*, had admitted *French Troops* into that Fortress.

Emperor,  
 Sept. 24.  
 N. S.

\* A Cessation of Arms agreed in between the City and Castle of Milan, Sept. 26. Prince Eugene makes his Publick Entry into Milan, ditto. Lodi and Como surrender to the Imperialists.

The 25th. Orders were sent to all the Towns and Places of the *Milaneze*, for the disbanding all the Militia of the Country, and enjoyning them, for the future, to obey no Orders but Prince *Eugene's*, in his Imperial Majesty's Name. In the Evening the two Regiments of Foot of *Dawn* and *Bagni* were put into *Milan*, and two Squadrons were commanded to block up the Castle on the side towards the Country. The next day, an Agreement was made between the City and that Fortress, that no Hostilities should be committed on either side, on Condition that the Castle should not be attack'd on the side towards the City. The Duke of *Savoy*, who was fallen sick some days before, having still some Remains of his Illness, Prince *Eugene* made alone that day, his Entry into *Milan*, to the inexpressible Joy of the Generality of the Inhabitants, and having assisted at *Te Deum*, which was sung in the Cathedral, by the Cardinal Archbishop, return'd to the Head-Quarters; where, in the Evening, Advice was brought from Lieut. Colonel *St. Amour*, that the Town of *Lodi* had surrendred; and that the Castle, whither the *Swiss* and *French* Garrison was retir'd, had begun to capitulate. Intelligence came, at the same time, to the Confederate Camp, that *Como* had submitted without Resistance. Hereupon, the next day, the Confederate Army broke up from *Corsica*, and came and encamp'd at *Marignano*, between *Milan* and *Lodi*, where the Deputies of this last Place came to compliment the Duke of *Savoy* and Prince *Eugene*. Upon this motion, and the Surrender of the Castle of *Lodi*, the Enemy's Troops passed the *Adda* in great Hurry and Disorder; and the Prince of *Vaudemont* and Count *Medavi*, who till then had continued with them, having left a good Garrison in *Picciighitone*, retir'd beyond *Cremogna*, and soon after took up their Residence in *Mantua*.

The 28th Count Daun, who with a strong Detachment, had been sent towards Pavia, summon'd that Town to surrender, which the Governor refusing to do, he made the necessary Dispositions to attack it in form, and the same evening open'd the Trenches. Two days \* after, the Imperial Army encamp'd in the neighbourhood of Lodi, where, in the Evening, an Express arriv'd from the Hereditary Prince of Hesse Cassel, with an Account, that his Highness having passed the Po, was advancing by Scellata towards Guastalla; whereupon the Express was sent back with new Orders. The 2d of October, Intelligence was brought, that Castel Trezzo had capitulated; and that the Spanish Garrison was march'd out, but without Arms. The next day the Army moved, and encamp'd between Lodi and Piccighitone. They had hardly begun to march, when the Marquis d'Andourne, his Royal Highness's Adjutant General, sent by General Daun, arriv'd with the Capitulation of Pavia, consisting of about 20 Articles, pursuant to which the Garrison, which was reckon'd to be 2000 Men, was to march out with Marks of Honour, and some Cannon; to be conducted, the French to Suza, the Spaniards to Valenza. The importance of that Place, which is the Key of the Milanese, and which might have made a long Defence, was a Motive for readily agreeing to this Capitulation; and by this Acquisition the Ticino being free, and the Country cover'd on that side, it was resolv'd, without delay, to besiege Piccighitone, in order to make themselves Masters of the Adda. Hereupon Prince Eugene sent back the Marquis d'Andourne to Count Daun, with Orders to leave in Pavia the Regiments of Kriechbaum and Staremberg; and that of Cuirassiers of Glockelsberg; to send the Regiment of Konigsack, with 50 Horse, towards Novara; to send back Lieutenant Colonel Sten, with his Detachment to Vigevano, till further Order; and to come himself with the rest of the Troops towards Piccighitone, as soon as he had caus'd Artillery, and other things to be embark'd, as he was directed. An Express was likewise sent to the Prince of Saxe-Gotha, to return with the Troops. Towards Evening a Lieutenant of Hussars, who brought in a Lieutenant Colonel, and two other French Officers Prisoners;

A. C.  
1706.

Pavia be-  
sieged, Sept.  
8. N. S.  
Sept. 30.

Castel  
Trezzo  
miss,

N. S.  
Pavia sur-  
rendered,  
Oct. 2.  
N. S.

A. C. soners, reported, that going with 16 Hussars towards *Soncino*, he was inform'd by the Way, that there was near that Place a Party of the Enemy (which afterwards prov'd to be the Garrison of *Soncino*, in number about 100 Men, who designed to retire towards *Cremona*;) upon which he resolv'd to try his Fortune, and coming up with those Troops near a Village, he desired to speak with the Commanding Officer, and told him, that if he would yield himself and Men Prisoners of War, all their Lives should be spared: but if they delay'd till the other Troops that were following him came up, they must expect no Quarter; upon which the said Garrison surrendred, and was disarm'd, and divided into several Companies, to be conducted to the Camp.

On the 4th of *October*, the Confederate Army encamp'd at *Caravacurta*, not far from *Piccighitone*; and Lieut. Col. *St. Amour* was order'd to post himself with his Detachment on the other side of the *Adda*, to cut off the Communication between *Piccighitone* and *Cremona*. At the same time, the Horse were order'd to make Falcines, and 600 Men commanded to take Post, in the night, near the *Giera d'Adda*; that is, that part of *Piccighitone*, that lies on the right Bank of the *Adda*, which being executed with all the Bravery imaginable, the Enemy were obliged to retire into their Works, on the other side of that River; but the next day, the Duke of *Savoy* taking too narrow a View of that Post, receiv'd a Contusion in his Arm by a Musket Ball. The same \* day Intelligence was brought, that the Garrison of the old Castle of *Verue*, consisting of 55 Men, had surrendred themselves Prisoners of War to the Count de *Zenantes*. The 6th of *October* 900 Foot and 200 Grenadiers attack'd the Inner Works before the *Giera d'Adda*, with so much Vigour, that they possess'd themselves of the Town of *Piccighitone* on that side; and in the evening Lieut. Colonel *St Amour* sent Advice, that the Enemy had abandon'd the Castle of *Lecco Bardalano*, a Post which they had been Fortifying above a year.

His Royal Highness having receiv'd repeated Advices, that the *French* were in motion towards *Susa*, and that their Troops were to assemble there, in order, as they gave out, to return into *Piedmont*, it was

The Duke of  
Savoy receiv'd a  
Contusion.  
\* Oct. 5.  
The Castle  
of Verue  
surrendred.

Bardolano abandoned.

was resolv'd to divide the Army, and that Prince A. G. Eugene with a Detachment, should march to join the Troops under Count Daun, who, in the mean time had laid a Bridge on the Po near Pavia, and endeavour'd to reduce *Alexandria, Valenza and Tortona*, that the French might be disabled from sending any Succours into the *Milanese*. That Detachment march'd the 8th, under the Command of the Princes of Hesse Darmstadt and Saxe Gotha, and Prince Eugene follow'd three Days after. The rest of the Army continued at *Cavacurta* till the 17th, when his Royal Highness having received Advice, that the Prince of Hesse Cassel was to pass the Po that day, he pass'd the *Adda* over a Bridge laid on that River, and encamped before *Piccighitone*, where the Prince of Hesse came to meet him; and the next day brought up the Forces under his Command, which the Duke of Savoy found in a much better Condition than he expected, considering the Loss they sustain'd in the late Battle of *Medoli*, and the long Marches they made since. The night between the 17th and 18th the Trenches were open'd before *Piccighitone*, with no other Loss than of two Men kill'd, and 8 wounded; besides a Colonel of the *Palatine* Troops, who fell dead by his Royal Highness; and the *Marquis de Lusinge*, who was also wounded near that Place. This Siege was carried on with so much vigour, that the Garrison surrendred the 27th of October upon Articles. Most of the *Germans, Swiss, Italians and Spaniards*, either entred into the Service of the Allies, or desired Passes to return Home; But the French were allow'd to retire to *Cremona* with four Pieces of Cannon, and other Marks of Honour; the bad Weather, that happen'd about that Time, having inclin'd the Duke of Savoy to grant them those Terms.

His Royal Highness, having left the Hereditary Prince of Hesse-Cassel at *Piccighitone*, with about 7000 Men to secure the *Adda*, and observe the French Troops under General *Medavi*, march'd the 29th of October with the rest of his Forces towards *Pavia*, in order to act in concert with *Eugene*. The latter being arriv'd near *Pavia*, the 11th of the same Month in the Evening, pass'd the Po the next day, with his whole Army, and march'd to *Voghera* and *Ponte-Sorano*,

1706.

The Duke of Savoy and Prince Eugene divide their Forces.

The Prince of Hesse joins the Duke of Savoy. Oct. 18. N. S.

Piccighitone surrenders. Oct. 27. N. S.

A. C. *rano*. The 13th, He advanc'd to *Tortona*, and sent a Trumpeter to summon the Place: But the Com-

1706.

manding Officer answering, that he would defend it; his Highness caus'd the Army to move up to it, order'd a Battery of Cannon and Mortars to be rais'd the following Night; and commanded the Prince of *Darmstadt* to march the next Day, with all the Horse to invest *Alexandria*. The 14th a great Blast was heard in Prince *Eugene's* Camp, and in the Evening his Highness was inform'd by a Courier from the Prince of *Darmstadt*, that immediately after his Arrival before *Alexandria*, the Magazine of Powder in that Place blew up. He had also Advice by an Express from General *Zumjungen*, that the Town and Castle of *Arona* had surrendered to him by Capitulation. The 15th, his Highness receiv'd a Confirmation, that the Magazine of Powder of *Alexandria* had blown up, and that several Fathom of the Wall of the Town were thrown down thereby; whereupon he held a Council of War, in which it was resolv'd immediately to follow the Prince of *Darmstadt* with most of the Foot, and to leave the rest before *Tortona* under the Command of General

*The Town of Isselbach.* The Town of *Tortona* surrendred in the Afternoon, the Garrison retiring into the Castle; and in the Evening Prince *Eugene* arriv'd on the side of the *Bormia* with most of his Foot. The 16th his Highness pass'd it, where it falls into the *Tanaro*, and presently order'd a Bridge to be laid over this last River, to facilitate the Passage of the Cannon, and other things that had been us'd in the Siege of *Pavia*. The 17th the Army extended it self within 400 Paces of *Alexandria*, and the three following Days were spent in raising Batteries, drawing a Parallel, and making other Works towards the vigorous Attacking of the Place. The 20th Prince *Eugene* detach'd towards *Serravalle*, the Count *de Martigni*, with a Regiment of Dragoons, the Inhabitants of that Place having sent to inform him, that they were ready to submit to any Detachment he should send; and it not being doubted that the *French* Garrison there would retire into the Castle at the Count's Approach, his Highness sent Order to General *Isselbach* likewise, to detach some Troops thither. The 21st at 4 in the Morning, the Besiegers began to fire briskly upon the



the Town of *Alexandria*, from a Battery of Cannon and Mortars; and continuing some Time, the Besieged beat a Parley, and sent two Officers to the Camp; to offer to capitulate; but they were sent back with Answer, that they would be allow'd no other Capitulation, than to surrender themselves Prisoners of War. However, Liberty was afterwards granted to two Squadrons of *French Horse* that were in the Place, to march out and retire whither they would, yet on Condition to leave their Horses behind them, and that the rest of the Garrison, consisting of *Spaniards* and *Swiss*, should remain Prisoners of War; whereupon one of the Gates was immediately deliver'd up.

The Prince of *Saxe Gotha* who commanded his Brother's Forces in the Pay of *England* and *Holland*, gave the following Account of the taking of *Alexandria* to the States.

*High and Mighty Lords,*

THESE are to acquaint your High-  
tinesses, that this Morning about 7 of the  
Clock the Inhabitants of *Alexandria* took up Arms  
against the Garrison, consisting of 1500 Foot, and  
some hundred Horse, and would force them to capitulate. Mean time our Batteries being finish'd, we begun to fire this Evening, which encouraged so much the Inhabitants, that after 12 Shots the Garrison beat a Parley: but they obtain'd no other Terms than being Prisoners of War, and are allowed to keep their Baggage and Equipage. We had in the Attack 54 Men wounded, and 15 killed, out of whom there are some of my Brother's Regiments.

From the Camp before  
*Alexandria*,  
October 21st.  
1706.

I am, &c.  
Sign'd,  
J. WILLIAM,  
Duke of *Saxe-Gotha*.

About the 18th. of *October*, the Fort of *Fuentes*, a strong Post on the Lake *di Como*, that gave the Enemy a Communication with the Country of the *Grisons*, was reduc'd by Major General *Seldin*. And towards the end of the said Month, the Castle of *Asi* surrendred to a Body of Forces drawn together in

A. C.

1706.



*Piedmont*, The Garrison consisting of 400 Soldiers and 40 Officers being made Prisoners, and 17 Pieces of Cannon found in the Place. The Castles of *Serravalle*, *Arona*, and *Domo Dossala*, likewise submitted to the Allies, who were thereby Masters of all the Passes into the *Milanese*.

All this while the Duke of *Orleans* continued in *Dauphiné*, whither he retir'd with the broken Remains of his Army, having fix'd his Head-Quarter at *Oulx*, near *Fenestrella* and *Briancon*. The Enemy whose Interest it was to palliate their Defeat before *The French Turin*, publish'd Accounts of the great Preparations made by his Royal Highness to re-enter *Piedmont*, to threaten to make a Diversion, and interrupt the rapid Progress re-enter *Piedmont* of the Duke of *Savoy* and Prince *Eugene* in the *Milanese*. Lieutenant General *Vibray* was, indeed, actually sent into the Valley of *Aosta* with a Detachment, to try whether a Passage might be had that Way; but he advanc'd no further than the Town of *Aosta*, and thence return'd back again over the Mountains, as soon as he had Intelligence that the Baron de *St. Remi*, who had taken Possession of the Fort of *Bur*, and the Count de la *Rocca* were ready, with a Body of Troops to receive him, should he advance towards that Fort. After that it was thought better for the French Army to enter the Plain of *Turin*, by the way of *Susa*, and by repeated Advices from *France* we were told; what Supplies of all such Necessaries for such an Expedition were sent to the Duke of *Orleans*, and that he had caus'd the Troops to draw towards *Susa*: But the Officers of that Army having lost their Equipages in their late Defeat, murmur'd exceedingly, That while they wanted things necessary for their own Accommodation in the Field, and while their shatter'd and dispirited Troops wanted so much to be recruited, they should be order'd back to *Piedmont*, where were no Magazines for the Subsistence of an Army, but all must be sent after them by Convoys, and where the Winter Season, together with the spreading Conquests and growing Strength of the Enemy, would subject them to infinite Hardships, and render the Enterprize of joining the Count de *Medavi* absolutely impracticable. In short, the Army appear'd so unwilling to be employed in so difficult and hopeless

But do not  
effect it;  
and the  
Duke of  
*Orleans*  
returns to  
the French  
Court.

a Service, that the Duke of Orleans found it necessary to send M. de Bezons Lieutenant General, (who was appointed to supply the Room of the Marshal de Maffin) to inform the French King of the Condition and Dispositions of his Troops; the Difficulties of the Enterprize, and the swift Progress of the Enemy. The Loss of Alexandria and Piccighitene which was reckon'd inevitable from the time they were begun to be attack'd,) added to the former Conquests of the Duke of Savoy and Prince Eugene, made the French Court despair of Retrieving their Affairs in Italy: and so M. de Bezons was dispatch'd with Orders for separating the Troops which the Duke of Orleans had drawn together at Szeg, and for sending them into Winter-Quarters: Which done, the Duke himself, being perfectly recover'd of the Wounds he received at the Battle of Turin, set out for the Court of France, where he arriv'd the 8th. of November, N. S.

The only formidable Enemy the Duke of Savoy and Prince Eugene had now to encounter, was the bad Winter-Season, which tho' it did retard, did not, however, altogether interrupt the Progress of their Conquering Arms. His Royal Highness having made the necessary Dispositions for besieging Casal, and order'd Artillery for that Purpose to be sent to him thither from Turin, appeared before it the 16th of November, and summoning the Town and Castle to surrender, the Town submitted, on Condition that the Castle should not be attack'd from the Town, and that 800 French who were in the Town should have the same Capitulation, as the Garrison of the Castle when reduced. The bad Weather prolong'd the Attack of the Castle; but at length it surrendred after the Trenches had been open'd before it 12 Days. The Governour having caus'd a Parley to be beat, and demanded to march out with his Garrison, Arms, Baggage, and 6 Cannon, the Duke of Savoy return'd Answer that he was to expect no Capitulation, but to yield himself and Garrison Prisoners of War; and the Governour refusing to submit to that, his Royal Highness gave Order for continuing to batter the Place, and signified to him that he would make an Assault, and put all to the Sword: Whereupon the Governour determin'd to yield on the Terms

Casal taken at Discretion.  
Decem. 6.

A. C. 1705. *w* prescrib'd him : and deliver'd up a Gate the 6th. of December. The next Day the Garrison march'd out, to the Number of 1886 Men, whereof 65 were Officers, who were made Prisoners, and disarm'd on the Glacis, (as were the Garrison of *Vercelli*, when that Place was taken by the Duke of *Vendosme*) but his Royal Highness had the Generosity to give the Officers their Swords. There were found in *Casal* 76 Pieces of Cannon, 70000 Weight of Powder, 28000 Grenadoes, and a great quantity of other Ammunition and Provisions. The Duke of *Savoy* design'd, after this Conquest, to have laid formal Siege to *Valenza*, but the rainy Weather oblig'd him to content himself with leaving a body of Forces to block it up, and to put the rest of his Troops into Quarters: Which done, his Royal Highness repair'd to his Capital City.

The Duke of  
Savoy re-  
turns to  
Turin,  
Dec. 11.  
N. S.

The Castle  
of Torto-  
na seiz'd  
by the Im-  
perialists,  
Nov. 29.  
N. S.

While the Duke of *Savoy* was busie in the Siege of *Casal*, the Imperialists that block'd up the Castle of *Tortona*, having for 6 or 7 Days batter'd that Place, with 12 Pieces of Cannon, and 3 Mortars, feign'd on the 28th of November, N. S. to abandon the Siege, and actually drew off most of their Troops towards *Rivalta*, on the other side of the *Scrivia*; but the Night following they return'd, and made a sudden Assault on the Breach, with that Success, (the Enemy being all in Confusion) that with little loss they carried the Place Sword in Hand. The Garrison consisting of 6 Companies of *French* Foot, were every Man put to the Sword, as were also the Governor *Don Ramirez*, and *Don Antonio Capra*, tho' they offer'd great Sums of Money for their Lives. In the Place were found 7 Brass Cannon, and 4 of Iron, with a considerable Quantity of Ammunition, tho' but little Provisions, so that the Garrison must have surrendred in 8 or 10 Days. About a Week before, the Imperialists commanded by General *Wetzel* took the City of *Modena* by Scalado, and part of the *French* Garrison, who had not time to retire into the Castle, were cut in Pieces. The Castle of *Modena* continu'd block'd up; as did likewise that of *Milan*; whose Governor the Marquis de *Florida*, on the 15th of November; wrote to the Sixty *Decuriones* of the City, to demand of them Money, Provisions, and Cloaths for his Garrison, on Pain of a Bombardment.

The City of  
Modena  
taken by  
Scalado,  
Nov. 22.  
N. S.  
agreement  
made with  
the Castle of  
Milan.

ment. Hereupon the *Decuriones* held a Council with Count *Konigsbeck*, who commanded the Imperialists that block'd up the Castle; and deputed the Counts *Scotto*, *Uberto*, and *Stampo*, to treat with Prince *Pio*, and the Marquis of *Val de Fuentes*, whom the Marquis of *Florida* had sent out on his Part; and a Truce was agreed between the Castle and the City till the beginning of *February*, on condition that the City should furnish the Castle with 2000 Pistoles in Money or Provisions, and that if the Castle should be attack'd on the side towards the Country, it should not fire on the City.

Five of the *Roman-Catholick Cantons of Swisserland*, having at the Instigation of *France*, acknowledg'd the Duke of *Anjou*, as King of *Spain*, and renew'd with him the Alliance, call'd, *The Capitulation (or Capitulation) of Milan*; the Court of *Vienna* did not only prohibit the Importation of Salt from *Bavaria* and *Tirol* into those Cantons; but soon after the Reduction of *Milan*, Prince *Eugene*, by the Emperor's Order, did forbid all Commerce between that Dutchy and the Four Bailiwicks of *Lavis*, *Luggaris*, *Mendris* and *Meyenthal*: Hereupon the Protestant Cantons of *Zurick*, *Bern*, *Basil*, and *Schaffause*, who hold those Four Bailiwicks in Common with the *Roman Catholicks*, on the other side of the *Alps*, on the Frontiers of the *Milaneze*, wrote a Letter to Prince *Eugene* upon that Subject, to which his Highness return'd the following Answer:

BY the Letter you wrote to me the 26th of last *Prince Eugene's* Month, you were pleas'd to make a Representation to me, in behalf of your loyal and beloved Subjects of the four Bailiwicks of *Lavis*, *Luggaris*, *Mendris* and *Meyenthal*, in relation to the *Swiss Cantons*. Exportation of Corn, Salt, and other Provisions, out of the State of *Milan*, to those Bailiwicks; and to intreat me very earnestly to give Order, that that Prohibition of the Exportation of Corn, Salt, and other Provisions, may be taken off, that Commerce may be restor'd on the same Foot as formerly.

Now, tho' I desire nothing more than to shew my readines to do you Service on all Occasions, and particularly in this; and tho' besides I know very well, what particular Consideration and Esteem

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esteem his Imperial Majesty, his most Illustrious House, and all the High Allies have for the Laudable Cantons; yet you will have the Goodness to permit me to lay before you the Motives that induc'd me to issue such a Prohibition: For, it is known to the World, That five of the *Roman Catholick* Cantons, in Contempt of their Alliances both with the *German* and *Spanish* Lines of the most Illustrious House of *Austria*, and notwithstanding the pressing Admonitions, Representations and Offers of the laudable Protestant *Swiss* Cantons, have concluded and sign'd a strict Engagement and Alliance with the Duke of *Amjou*, the declar'd Enemy of the Empire; and in Breach of the Neutrality have engag'd, in open Enmity, against his said Imperial Majesty, his most Illustrious House, the Holy *Roman* Empire, and its indisputable Fief; nor will they retract what they have done, nor be prevail'd upon by the Admonitions of their Allies, but persist in their Resolution, to the great Advantage of the foresaid Enemy, whom (to the Damage of his Imperial Majesty, his most Illustrious House, and the Holy *Roman* Empire) they have actually furnish'd with Auxiliary Troops, and do still continue to furnish him, insomuch that in almost all the Places and Castles of this State that have been taken from the Enemy, I have hardly found any other than *Swiss* Garrisons; Wherefore I could not well do otherwise, than in such a Condition of Affairs, to put a stop to the Exportation above-mention'd, and to renew that Prohibition now again in the most rigorous manner, having receiv'd his Imperial Majesty's Commands so to do; And besides, the foresaid unjustifiable Proceedings of the said Cantons, are look'd upon by the Diet of the Empire it Self, assembled at *Ratisbon*, (as you your selves may be presum'd to know) as a Rupture of the Neutrality, and of the *Milanèze* Capitulation, and thereupon a Resolution is pass'd in that Diët, for prohibiting Commerce with those Cantons.

So that you your selves may see, if you please, That 'tis not in my Power to make any Alteration in this Matter, and to revoke the said Prohibition; but that it principally depends upon the *Roman*

*Catholick*

‘ Catholic Cantons themselves, to shew such a Conduct, as may move his Imperial Majesty and the Empire, most graciously to order me to take off the said Prohibition. Thus not doubting you will plainly perceive on what equitable Grounds that Prohibition was founded, I remain

Your most obliged and  
ready to serve You,

Fassinetto del Po, November 12. 1706.

EUGENE of Savoy.

Prince Eugene having disposed his Forces into their Winter-Quarters, and posted Troops, under the Command of the Prince of Hesse-Cassel, for the Blocking up of *Cromona*, went to *Milan* the 14th of December, N. S. in order to settle the Contributions, order Levies, raising Supplies, and regulate the Magistracy of that Dutchy, of which he was made Governor, in the Name of Charles III. King of Spain. This, in some Measure, dissipated the Fears and Jealousies of the Venetians, and other Princes and States of Italy; who, when they saw the Prince obliged to swear Allegiance to the Emperor, were afraid that that Prince would keep that fine Country for himself, and their Ministers abroad could not forbear shewing their Uneasiness thereupon; but his Imperial Majesty following the Advice of his best Allies, thought fit to remove that Umbrage, and granted the Investiture of that Dutchy to the King of Spain, which Prince Eugene notify'd to the Senate of *Milan*, and caus'd the following Imperial Decree to be publish'd.

‘ Since it hath pleas'd the Sovereign Providence  
‘ of the most High, to bless the glorious Arms  
‘ of his Imperial Majesty in Italy, by defeating and  
‘ making the Enemy to fly, and to reduce this State  
‘ again under the Power of his most Illustrious  
‘ House; and his Imperial Majesty, the Superior  
‘ Lord of this State, having appointed the most Illustrious Prince Eugene of Savoy and Piedmont, Marquis of Salusa, Counsellor of State, President of the Aulick Council of War, Field Marschal, Colonel of a Regiment of Dragoons, Knight of the Illustrious Order of the Golden Fleece, and Commander General of the Armies of his Majesty K. Charles III.

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of Spain, his dearly beloved Brother, ordaining his said Highness in Name of the said King, to receive the usual Oath of Fidelity and Homage from his true Subjects; and he being willing to put the most Honourable Commands of his Imperial Majesty (whom God preserve) immediately into Execution, his Highness orders and commands by Virtue of this present Edict, all Towns, Judicatories and Communities of this State, to proclaim and acknowledge for their Lord and Sovereign, his above-mention'd Majesty Charles III. King of Spain and Duke of Milan (whom God preserve) his Royal Commands, as their lawful Sovereign, to obey; and for the time to come to issue all Orders in his Royal Name, and that they be in readiness to take the incumbent Oaths to him before his Highness, upon the Day that shall be appointed; and that no Man may have reason to pretend Ignorance, he orders that the same be publish'd in this City, and in all the other parts of this Dutchy, and that it be affix'd by the Respective Courts in the usual Places of their Jurisdiction; with which Publication he declares, That every Person shall hold themselves sufficiently warned; and he orders each of the foresaid Courts to send him an Account of their having so publish'd the same, directed to the under-written.

T: *Purtusatus Serpentinus.*

Sign'd,

EUGENE of Savoy.

Given at Milan the  
12th of Jan. 1707.

Prince Eugene goes

to Turin,

\* Jan. 14.

1707, N.S.

He returns

to Milan,

Jan. 28.

N. S.

Two days \* after his Highness went to Turin, where he was receiv'd with all possible Demonstrations of Respect and Affection; and having concerted several important Matters with the Duke of Savoy, return'd to Milan the 28th of the same Month.

The Duke of Modena, being inform'd that the Garrison of the Castle of that City, which had been a long time block'd up by the Imperialists, was reduced to the last Extremity, repair'd thither the 5th of February, N. S. whereupon the French Governor sent a Drum to his Highness, to offer to surrender on the same Conditions that were granted to his Highness's Troops, when the Citadel

was



was last taken from them. This Offer was accepted, and the Capitulation Sign'd the 6th, pursuant to which, two days after, the Garrison march'd out thro' the Breach, with the usual Marks of Honour, and 6 pieces of Cannon, and was conducted to Mantua.

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The Castle  
of Modena  
surrenders

The Cessation of Arms between the City and Castle of Milan expiring the 2d of February, the Marquis de la Florida, Governor of the latter, sent out a Drum the 3d in the morning, to demand of the City a continuation of Contributions, threatening, if refused, to cannonade and bombard them. The 60 *Décourionnes* of the City assembled thereupon, and sending the Drum to Prince Eugene, his Highness sent him back to the Marquis de la Florida, with a Note, in which he inform'd him, that having an absolute Power, he must treat with him, and not with the City. The 4th the Drum came out again, with an Answer from the Marquis, in which he made some Difficulty to treat with Prince Eugene; whereupon his Highness ordered the Guards to be doubled at the Gates of the City, as also in the Square before the Cathedral, Illuminations to be made every Night in all Quarters of the Town, and two Companies to patrol. The 5th the Governor having thought further of the Matter, sent Word to Prince Eugene, that he was ready to treat with him; whereupon Hostages, (*viz.* 2 Lieutenant Colonels on each side) were exchanged. But in short nothing could be concluded, the Governor insisting on his Demand of Contributions, and Prince Eugene absolutely refusing them, and threatening to give no Quarter to him, or his Garrison, if he fired on the City. To this the Marquis de la Florida returned Answer, that having already sustain'd 24 Sieges in the Service of the King, his Master, he was resolv'd to die gloriously in the 25th; and that he was too old (being in his 80th Year) to begin to be disloyal. So the Treaty broke off: Yet before the Governor would put his Threats in Execution, he caus'd artificial Fuses of Wood to be thrown into the City, in which were Notes to inform the Inhabitants, that he was obliged to fire upon their Houses, and that for the Damage the City might receive, they might blame themselves, or those who had rejected his

A. C. his Demands: And finding this had no Effect, on the 12th of *February* he began to fire upon the City.

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The Castle  
of Milan  
besieg'd.

Hercupon the Imperialists hastened their Preparations for attacking the Castle, open'd Trenches, rais'd Batteries, and on the 22d of *February*, N. S. fired against that Fortrefs with 20 pieces of Cannon. The Siege was briskly carried on; and the Place as vigorously defended, till the 12th of *March*, N. S. at four in the Afternoon, when Hostilities ceas'd on both sides, upon the Arrival of the Marquis de *St. Patex*,

† A Treaty with the *French King's* Consent to a Treaty † which had, some time, been secretly in Agitation for the Marching of all the Troops belonging to that Monarch, and to his Grandson, the Duke of *Anjou*, out of all the Places they still held in the *Milaneze*, *Mantuan*, *Cremoneze* and *Montferrat*, and their being conducted to *Suzza*.

Thus ended the Calamities of a War, with which so great a part of *Italy* had been afflicted for about six Years. It remains yet a secret, by whom this Treaty was first projected; and put in Agitation, and upon what motives it came to be approved and concluded by the Parties concern'd; all the Accounts, that are hitherto come to our Hands, but just hinting, That the *Venetians* had a great Share in it. We shall therefore content our selves to say, that considering all the present Circumstances of the Houses of *Austria* and *Bourbon*, so far as the War in *Italy* had an Influence on those Circumstances, the Managers must be Masters of great Dexterity and Address, who could prevail upon both Parties to believe they should find their Account in this Treaty. The Willingness of the *French*, arising no doubt from the necessity they were under to withdraw their Troops on any Terms, out of a Country where it was impossible for them to maintain them, appears from divers Articles of the Treaty, but most particularly from their intirely giving up the Interests of the Duke of *Mantua*. But whether the House of *Austria* consulted their own Interest, in letting so considerable a Body of the Enemy's Troops escape, whom a few Months would, in all humane probability, have put into their Hands, the Prosecution of the War this Summer from the side of *Piedmont*, and thereby hindring the *French* from mending-

† A Treaty  
concluded  
for the  
French to  
evacuate  
all the  
Places in  
Lombardy,  
&c.

See the Appendix,  
Numb. XX

mending their Affairs, (chiefly in Spain) by the Recovery of so many Troops, which they could not but look upon as, in a manner, already lost, will sufficiently shew. Whatever be the Consequences, 'tis certain, that *England* and *Holland* had no hand in this Treaty, which was executed with all the Fairness and Punctuality imaginable, contrary to the Apprehensions of the *French*, who fear'd a Retaliation from the Duke of *Savoy*, for the Duke of *Vendôme's* seizing and disarming his Royal Highness's Troops, about three Years before. Some time before the Conclusion of that Capitulation, the Duke of *Savoy* took possession of the Places and Territories made over to him by a former Treaty, ratified by the following Imperial Decree:

Joseph I. by the Grace of God, King of the Romans and  
Emperor. &c:

THE Sacrifice which his Royal Highness the Duke of *Savoy* made of his Person and Dominions, for the Illustrious House of *Austria*, by preferring to them the Advancement of the Common Cause, and the Re-establishment of the Tranquility of *Italy*, oblig'd his Sacred Majesty, the late Emperor *Leopold I.* of glorious Memory, to make over to him in Recompence (besides so many other Territories) the Towns of *Valenza* and *Alexandria* with that whole Province, as also that of *Lugelino*, and the Valley of *Sesia*, with all their Lands, Castles, Burroughs, Lordships and Revenues belonging to them; and this with the Consent and Approbation of his Catholick Majesty King *Charles III.* to hold and keep them, in the same manner as the former Kings of *Spain* were poss'd of them, under the Emperor and Empire. These Considerations, together with the great Advantages which the August House of *Austria*, and the Common Cause have receiv'd from his Royal Highness's Firmness in their Interest, have likewise induc'd his present Imperial Majesty, to grant his Royal Highness full and actual Possession of the intire Property of the said Towns and Provinces, transferred to him by Virtue of the Treaty concluded by the late Emperor, and ratified by his Majesty King *Charles III.*

An Imperial Decree making over several Places and Territories to the Duke of *Savoy*.

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‘Accordingly, his Imperial Majesty commands all  
 ‘the Towns, Burroughs, Communities, Vassals and  
 ‘Subjects of the Places yielded to his said Royal  
 ‘Highness, to acknowledge him for their Lawful  
 ‘Lord and Sovereign, in the same Manner as they  
 ‘formerly did the Kings of *Spain*, and in Conse-  
 ‘quence to take the usual Oath of Fidelity to him ;  
 ‘His Imperial Majesty having most expressly com-  
 ‘mission’d his Highness Prince *Eugene* of *Savoy* to  
 ‘make known his Intentions and Commands to the  
 ‘said Towns, Provinces, Corporations, Vassals,  
 ‘Subjects and Inhabitants, to the end they may pay  
 ‘ready Obedience thereto, His Majesty’s Will and  
 ‘Intention is, that all this be put in Execution in  
 ‘due Form ; and that immediately after, Commis-  
 ‘sioners on both sides shall treat, and settle whatever  
 ‘is just and reasonable, for maintaining the Rights  
 ‘and Prerogatives of both Parties, and those that  
 ‘shall remain to this State. Done at *Milan* the 23d  
 of *February*, 1707.

*Eugene* of *Savoy*.

To conclude the Account of the Affairs of *Italy*,  
 the Victory of *Turin* was so great in it self, and so  
 well improv’d, That thereby *France* lost a vast  
 Country, the Invading and keeping whereof, had  
 cost him vast Sums of Money, and the Blood of near  
 200000 Men : So that this Signal Revolution cannot  
 but be admired by all future Ages, to the Immortal  
 Honour of Prince *Eugene*.

The Earl of  
 Galway’s  
 Campaign  
 in Spain.

The Affairs of the Allies in *Spain* were the Re-  
 verse of those in *Italy* ; for a Prosperous Beginning of  
 the Campaign, was attended with a Dubious End.  
 The Declaration of the People in *Catalonia* and *Valencia*  
 in favour of King *Charles III.* having given  
 better Hopes of the House of *Austria*’s Interest than  
 were entertain’d before, it was resolv’d both in *Eng-  
 land* and *Portugal*, to make the utmost Efforts, not  
 only to support the Provinces that had already  
 declar’d themselves, but likewise to put the whole  
 Kingdom of *Spain* into the Hands of its Lawful So-  
 vereign. On the other Hand, the *French* having  
 succeeded in their Attempt of Relieving *Badajoz*,  
 march’d all the Troops of their own Nation, except  
 Two Regiments of Horse, from the Frontier of  
 Por-

*Portugal*, towards *Aragon* and *Catalonia*; and with the Reinforcements they receiv'd from *Italy* and *Germany*, were soon in a Condition, not only to check the Inclinations of the People to the *Austrian* Family, but also to stop the Progress of the Confederate Forces, who, till then, met with little or no Opposition. The Duke of *Anjou*, and Marechal de *Tess*, were to undertake the Siege of *Barcelona*; The Conde de las Terres had a Body of Forces in *Valencia* to stop, at least, to retard the Progress of the Earl of *Peterborough*, who, like a Torrent carried all before Him; and the Duke of *Berwick* was to command the Army with which the Enemy thought to baffle the Efforts of the *Portuguese*, and their Allies. On the other Hand, the Earl of *Galway*, and the *English* Ambassador in *Portugal*, rightly judging, by the Enemy's Preparations, that they design'd to undertake the Siege of *Barcelona*, both by Sea and Land, bent all their Thoughts and Application to put all Things in a Readiness, both to make a powerful Diversion in *Portugal*, and for the Fleet to be early in the *Mediterranean*. It can hardly be express'd with what care and diligence Sir *John Leake* and Admiral *Wassenaar* fitted out their respective Squadrons; and, to do the *Portuguese* Justice, it must be own'd, that they supplied them with their Stores, and assisted them as much as lay in their Power; being wonderfully spirited by the Declaration of the *Catalans*, and the Diversion they gave to the Enemies Forces.

The *Portuguese* and Confederate Troops, had but little Refreshment after the Siege of *Badajoz*, being canon'd on the Frontiers, from whence, in the very beginning of *February*, 1706, they made several Excursions into the Enemies Country; but it was impossible for them to take the Field in a form'd Body, till the Month of *March*. Several Schemes had been laid, which all tended to penetrate as deep as possible into *Castile*, even as far as *Madrid*, thereby to divert the Enemy from Pursuing their Designs against *Catalonia*, with so much Earnestness and Application as they seem'd resolv'd to do, and oblige them to come back to defend the Capital City of *Spain*. The first Project was to reduce *Badajoz*, which would deprive the Enemy of their principal

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Several  
Schemes  
proposed to  
enter Ca-  
stile.

Place of Arms; remove them a great way from the Frontiers of *Portugal*, and afford an easy Entrance into a most fruitful Country: But this Enterprize could not but be attended with great Difficulties, for the Place was well fortified, and provided with a Garrison of 13 Battalions; and it was no easie Matter to streighten it, so as to hinder its being reliev'd. Nor were these Obstacles unforeseen the *Autumn* before; but then the Earl of *Galway's* principal Aim in Believing *Badajoz* was, either to force the Enemy to a decisive Action, if they attempted to relieve the Place; or, at least, to keep all their Forces in Play on the Frontiers of *Portugal*, during King *Charles's*, and the Earl of *Peterborough's* Expedition in *Cathlonia*. The second Project was, to begin the Campaign with the Taking of *Alcantara*, which was not indeed a very strong place, but whose Approaches were extremely difficult. Nor did it open an Entrance into *Castile* through a Country abounding with Corn; but then it was the shortest Cut to *Madrid*; and it was pretty easy to maintain, that way, a Communication with *Portugal*, for the Convenience of the Convoys; not to mention that it was one of the principal Passes over the *Tagus*. The third Scheme, was to reduce *Ciudad-Rodrigo*, which done, they might march through a very fine open Country, abounding with Corn and Cattle, and full of good Villages as far as the pass of *Guadarama*, within Twelve Leagues of *Madrid*. But the Army had a long difficult way to march to *Ciudad-Rodrigo*, and no great Preparations had been made on that side. The venturing to enter *Castile* without being Masters of one of those three places, would have exposed the Army to almost inevitable Ruin, for it had been easy for the Enemy to get behind the Allies, and cut off their Communication with *Portugal*, with 50 Squadrons, and 25 Battalions of regular Troops.

The *Portuguese* inclined for the Siege of *Badajoz*, which being the most considerable Place on that Frontier, and which keeps them most in Awe, they were ever fond of the Thoughts of Reducing it. Their Magazines on that side were well stor'd, and their Train of Artillery in good Order; but the foreign Ministers and Generals represented, in

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a lively manner, to the Court, that many Men, and much Time would be lost before that Place, which was the Thing the Enemy wish'd for, in this critical Juncture; so that this Siege would be no Diversion in favour of King *Charles*, who without Doubt, would be very much streighten'd: Upon which Remonstrances the King of *Portugal*, gave his decisive Orders for the Siege of *Alcantara*; and for the Army's Marching, afterwards, into *Castile*, as far as *Madrid*. Accordingly, as soon as 'twas judg'd that there was sufficient Forrage on the Ground for the Subsistence of the Horse, the Troops left their Garrisons in order to form the Army. The greatest Body, which was encamped near *Elera*, between *Caya* and *Cayola*, march'd on the last Day of March, N. S. to *St. Salvador*; the 2d of April to *Mayorga*; and the 3d to *St. Vincento*, between *Albuquerque* and *Valença d'Alcantara*, where the several Bodies join'd, to the Number of 26 Portuguese Battalions, 5 English, 4 Dutch; 36 Portuguese Squadrons, 2 English, and 4 Dutch; being provided with 24 Pieces of heavy Cannon for Battery; 18 Field Pieces; Provisions for 24 Days, and Waggon and Carriages in proportion.

The Siege of  
Alcantara  
resolv'd on

The 4th of April, N. S. the Army advanc'd to *Menbrillo*, and encamp'd near the River *Selor*, which is extremely difficult, by reason its Banks, and the Parts adjacent, are full of Rocks and Precipices, besides which the Enemy had ruin'd the Stone-Bridge that was on that River. In the Night between the 5th and 6th, Don *Juan Manuel* Marshal de Camp, was detach'd to make himself Master of the Fords and Passages, and cover the Workmen that levell'd the Roads. The 6th all the Horse of the Army, and the Infantry of the first Line pass'd the River. The Conde de *la Corzana*, staid behind with the Foot of the second Line, to cover the Artillery and Baggage, and cause the whole to pass, which was done in two Days, tho' with extreme Difficulty, and indefatigable Labour. The 7th it was resolv'd to advance and attack the Duke of *Berwick*, who was encamped at *Brucas*, which was executed very early in the Morning; the Marquis *das Minas* leading the Right, and my Lord *Galway* the Left. Sixteen Battalions that made up the first Line of Foot, follow'd the Horse with great Dil-

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gence, but because they march'd in Order of Battle, and that Care was taken to form the Troops after the passing of the Defiles, a great deal of time was (unavoidably) lost; and it was 4 in the Afternoon, before they were in a Posture to attack the Enemy. The Inhabitants of *Brocas*, who came to submit themselves, assured the Confederate Generals, that the Enemy retreated as soon as their Advanc'd Guards came in view of the Enemies Rear, which was partly cover'd by a Wood, that facilitated and conceal'd their Retreat. The Duke of *Berwick* thought he could easily retire thro' a Country, which he took to be all open, but meeting with unexpected Defiles, several of the Towns-men that withdrew their best Effects, and his own Baggage, made a Stop that retarded his March; and if the Confederate Generals had been better acquainted with the Nature of the Ground, he had run the Hazard of being entirely defeated.

The Duke  
of Ber-  
wick's  
Rear de-  
feated.

As soon as the foremost *Portuguese* Squadrons perceiv'd the Enemy, they moved with great Precipitation, to charge them Sword in Hand; but being oblig'd to march thro' some Fields full of Trees, they broke their Squadrons, and came up with the Enemy in Disorder. The Conde d' *Aguilar*, who commanded the Enemies Rear, which consisted of their best Troops, caused several of his Squadrons to face about, and by their Firing added to the Confusion of the most forward of the *Portuguese*. But those who were to support the latter, coming up in time, and the Left-wing, which march'd close together, and in order of Battle, gaining upon the Enemies Flank, whilst some Musketeers, whom the Conde de *Scura* had thrown into the Wood, galled them, they had no other Thoughts than to retreat. Their hindmost Troops were overthrown and defeated; and all the rest of their Cavalry march'd with great Precipitation and Disorder, near five Leagues; for they did not stop or face about till they came to *Arojo del Puerco*, where the Duke of *Berwick* encamp'd, but many of his Men fled a great way further. The Enemy left behind them about 50 Men kill'd, and as many Prisoners, among whom were *Don Diego Monroy*, *Mareschal de-Camp* (or Major-General) and the Conde de *Canilleros*; besides about



about 150 Horse. On the Portuguese side, the Conde de St. Vincento was kill'd, Colonel Macheda dangerously wounded, and about 30 Troopers kill'd or wounded. After this Action the Troops enter'd *Brocas*; and because there had fallen a great deal of Rain, the Soldiers kindled Fires in several Places in order to dry themselves, which occasion'd the burning of some Houses, and the Destruction of a great deal of Corn and Meal. The Confederate Army having rested the 8th at *Brocas*, and put a Garrison of 400 Men in the Castle, march'd the 9th towards *Alcantara*. The Duke of Berwick had, three Days before, thrown seven Battalions into that Place, which, with the three that were there already, made a Garrison, at least, 5000 Men strong, and provided with Abundance of Artillery.

The 10th. in the Morning the English Regiments of *Blood* and *Wade* very briskly attack'd the Convent of St. Francis under the Fire of the Place; drove the Enemy from thence, taking about 20 Prisoners, and lodg'd and maintain'd themselves in that Post, tho' with the Loss of about 50 Men kill'd and wounded; and among the latter Colonel *Wade* himself, and Lieutenant Colonel *de Harcourt*. After this, the Generals and Ingeniers went to view the Place, upon which Occasion the Conde d' *Attelaja*, Governor of *Minho*, was mortally wounded. The Alcantara Conde de la *Corsona* having that Day join'd the Army besieg'd. with the Artillery, Baggage and Provisions, and the rest of the Infantry, it was resolv'd to open the Trenches, and erect Batteries that very Evening: The Direction of the Siege being committed to Colonel *Charles*. Five Battalions and 200 Horse, under the command of the Marquis de *Montandre* sustain'd 800 Workmen, who in the Night made a Line deep enough to cover the Troops; and, at the same time, they began to erect a Battery of 13 Pieces of Cannon. The Enemy made, during the whole Night, a great Fire with their Muskets, tho' without any considerable Execution. The 11th. about Noon, they made a vigorous Sally to recover the Convent of St. Francis, and obliged one of the two Portuguese Battalions that guarded that Post, to abandon the same, but the Regiment of Don *Francis de Mello* defended themselves very resolutely, and gave time to the

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the *English*, who ran from the Camp to their Assistance, to drive the Enemy back into the Place. The Night between the 12th. and 13th. the Conde de *Sormany* reliev'd the Trenches, and the Battery of 13 Pieces was put in a condition to fire the next Day; when it did great Execution, as well as that of Mortars. The *English* Battery, under the Command of Colonel *Borgard*, near the Convent of St. *Francis*, which batter'd the Enemies Works in Reverse, was also perfected. The same Day (13th.) the Marquis de *Fronteira* pass'd the *Tagus*, with the Troops of *Abeirã*, over a Bridge of Boats, which was soon made up, notwithstanding the great Difficulties of the Ground: But the Activity of the Marquis, and of the Conde de *Soura*, animated the Soldiers to such a degree, that they finish'd that Bridge and another over the *Alagon*, sooner than was expected; carried some Pieces of Cannon over it, and took Post with 6 Battalions and some Horse, on the other side of the Town of *Alcantara*. Thus the Garrison saw themselves pent up, through their own Fault, for they might have interrupted the laying of the Bridges over the two Rivers; and afterwards have easily withdrawn the Garrison, before the Confederate Troops had possess'd themselves of the Heights that command the Bridge of *Alcantara*. The Villages of *Villa del Rey*, *Arroyo del Puerco*, *las Ventas*, *la Matta*, *la Matilla*, *Villas*, and others, submitted very willingly to the Allies, and furnish'd them with some Provisions. The Marquis de *Fronteira* sent a Detachment to *Tetuin*, which Place, having refused to declare for the Confederates was immediately plunder'd. The Night between the 13th. and 14th. Major General *Lloyd* mounted the Trenches with four Battalions, *English* and *Dutch*. The Enemy seeing the Execution of the Batteries demanded to capitulate; whereupon Hostages were exchang'd, but as they insisted upon honourable and advantageous Conditions, they were told, that they ought to expect no other, than to be made Prisoners of War; tho' with this Advantage, That all those who should be willing to enter themselves in King *Charles* the third's Service, should be entertain'd on the same Foot, and in the same Employments they had under the Duke of *Anjou*. Upon their Refusal of these Terms, the

the Batteries began to play again. The Bombs did a great deal of Mischief, and the Allies erected another Battery, on the other side the River, from whence they fired into the Streets, and Places of the City. The Breach growing wider and wider, the Confederate Generals thought fit to summon the Garrison before they gave the Assault. The Conde de Taroca, who was sent into the Town for that purpose, declared to the Governor, that the Breach being practicable, and no Relief to be expected, he could not, according to the Rules of War, hope for Quarters if he stood a Storm, but that if the Garrison surrendered Prisoners of War, they should have all the kind Treatment and Favour shewn them, that could in Reason, be granted to brave Men, whom the Allies expected shortly to be their Friends. After some Disputes among themselves, they agreed to surrender upon those Terms; whereupon the Conde de Taroca, who was empowered to treat, signed the following Articles.

*The Capitulation which the Conde de Taroca General of Battalion in the Army of his Portugueze Majesty, made by Order of the most excellent Marquis das Minas, General of the said Army, which Don Miguel de Guasco, Marshal de Camp of the Armies of Castile, and Governor of Alcantara, for the Surrender of the said Place. April 14. 1706.*

*Capitulation for the Surrender of Alcantara.*

I. **T**HE said Marshal de Camp with all his Garrison, Officers and Soldiers, with their Arms, Baggage, Cloaths, Colours flying, and all other usual Honours, shall march out of the Breach, and then lay down their Arms, the Officers from Captains upwards excepted, and be all made Prisoners of War: But at the end of 6 Months from the Date of the Capitulation, the said Marshal de Camp and Officers from Captains inclusive upwards, shall have Liberty to return to their Army: And whereas the Officers of the Battalion of Spanisht Guards are at least of equal Rank with Captains, they shall have the like Liberty: As shall likewise the Officers of the State Major of the Place, viz. the King's Lieutenant, the Serjeant Major, the chief Ingenier, the Adjutant Major, two inferior

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1706: Commander thereof.

2. All the Officers and Soldiers that remain Prisoners shall have their Apparel and Baggage, and shall have Officers appointed to inspect that they be not insulted or injur'd.

3. No Soldier shall have any Violence offer'd him to compel him to lift himself.

4. The Sick and Wounded, the Officers of the Hospital, and the Commissary of War, shall have Liberty to go, necessary Waggon's being furnish'd them, to the first Place in the Jurisdiction of *Castile* with 15 Horse to guard them: leaving the Commissary of War as Hostage till the Return of the said Horse, and all the Furniture of the Hospital shall go free.

5. The Officers from the Degree of Captains upwards, to whatever Place they be sent, shall carry with them their Servants; who shall have their Liberty, at the same time, with their Masters.

6. The Chaplains and Surgeons of the Regiments, shall have Passports given them immediately to go to *Castile*, with their Goods and Baggage.

7. All Provisions and Ammunition of what Quantity soever, which shall be in the Place at the Hour of this Capitulation, including the Soldiers Cloaths that are not on their Backs, shall belong to the King of *Portugal*, and if any of the Provisions or Ammunition be not deliver'd the Capitulation to be void: But whilst the Garrison stays in the Place they shall have necessary Subsistence out of those Provisions.

8. This Capitulation is made upon Condition, that there shall be found in the Place sufficient Stores of Provisions and Ammunition to defend it 8 Days, regulating 30 Charges for each Cannon and Musket: Otherwise to be void.

9. All the cropt Horses, and Arms, which shall be found in the Place, shall belong to his *Portuguese* Majesty.

10. The Prior, Sub-Prior, and all the Religious of the Convent of *St. Bento*, shall have two Months Time to resolve whether they will go, or stay. Those that do stay, shall enjoy the same Privileges

villages as hitherto, and they that will depart shall have Passports given them, within the said time, to go where they please, with all their Goods and Effects, whether of sacred or common Use, and be allowed necessary Waggon, and a necessary Guard, they leaving requisite Hostages: And, until their Departure, a Guard shall be set over them, to secure them and their Convent.

11. All the Inhabitants of the Place, of what Quality or Degree soever, may, in the space of 15 Days, retire where they please; for which end necessary Passports shall be given them for their Security; and they that will stay, shall enjoy their Privileges as hitherto, without being molested.

12. Those of the Inhabitants who shall depart the Place in the aforesaid time of 15 Days, may carry along with them all their Effects, Moveables, Household Goods and Money, what they carry along being first registred: and those that will enjoy their Lands, may do it, provided they retire into the Dominions of Portugal; and for the Transportation of their Goods, the necessary Waggon shall be furnish'd them, they paying for the same: Or they may sell or otherwise dispose of their Goods freely.

13. The Cattle of the Inhabitants, and of the Hospitals which are in the Place, may be carried away by their present Owners.

14. The Soldiers and Officers which are made Prisoners on this Occasion, shall not be sent out of Portugal, unless hereafter any Portuguese Prisoners shall be sent out of Castile or Spain.

These Articles were perform'd with all the Punctuality imaginable, and that Day about 2 in the Afternoon Major General O-Farel, who commanded in the Trenches, caus'd Possession to be taken of one of the Gates, and of the Breach.

The 16th the Garrison went out at the Breach, according to the Capitulation: It consisted of one Battalion of Spanish Guards, commanded by the Marquis d'Altona, and making 376 Men; and nine Spanish Terza's or Regiments, viz. that of the Armada, 288 Men; Palomino, 328; Boraschero, 304; Don Pedro de Castro, 196; Balthasar Prado, 184; Maldonado,

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surrenders  
at Discre-  
tion.As also  
Coria.

*denada*, 256 ; Don *Juan Pedrosche*, 152 ; the Marquis *de Taracousa*, 228 ; and that of Don *Diego d'Avila*, 220 ; besides a Detachment of 750 Men, with the Baggage, in all 3282 Men, without including the Officers ; the whole commanded by Don *Miguel de Guasco*, Marechal de Camp, and Don *Diego d'Avila*, Brigadier. These Troops were in very good condition, well Cloath'd, and well Arm'd ; and 'twas a great Stroke, thus to ruin, in so little a time, and with such inconsiderable Loss, the third part of the whole *Spanish* Infantry. However, it must be own'd in their Favour, that 'twas not possible for them, either to defend the Breach, or to make any Retrenchment or Coupure behind it ; for the Batteries of the Allies, both of Cannon and Mortars were so well serv'd, that in 3 days time, they either kill'd or disabled 500 Men of the Garrison. They found in the Place 47 pieces of Brass Cannon ; 17 pieces of Iron ; 5000 Muskets, or Fire-Locks, 200 Quintals, or Barrels of Gunpowder ; 1800 Boxes of small Shot ; 1500 great Shot ; six Mortars, 800 Bombs, 3000 Moyes of Flower, (being 10000 Pound weight ; ) 4000 Moyes of Rye ; 200 Pipes of Wine ; 150 Pipes of Oyl ; 12000 new entire Suits for Soldiers, design'd for the *Spanish* Army ; and above 200 cropt Horses. The 19th the Marquis *de Fronteira* march'd with the Body under his Command to *Moraleja*, which he caus'd to be attack'd by the *Conde de Soura*. The Garrison, consisting of 400 Men, under a *French* Governor, defended themselves, and made a great Fire for two days, but the third they surrendred Prisoners of War. The next day, being the 22d day of *April*, *Coria* surrendred to Don *Juan d'Atayda*, whereupon the Marquis *de Fronteira* march'd to take possession of that Town, and secure the Magazines ; and arrived there just in the time that Monsieur *Jeoffreville* was advancing that way with 12 Squadrons, in order to destroy the Ovens and Stores the Enemy had in the Place.

Before the main Army left *Alcantara*, the Earl of *Galway* publish'd the following Manifesto :

Henry

Henry Earl of Galway, Baron of Portarlinton, General of the Forces of the most Serene Lady, the Queen of Great Britain.

IT being undeniably true, that in the whole Progress of this War, the most Serene Queen of Great Britain, my Mistress, and her Allies, are so far from being Enemies to Spain, that they have sent their Troops and Fleets for no other purpose, than to assist the good Spaniards to shake off the Yoke and Domination of France; and to place on the Throne of Spain, his most Excellent Majesty King Charles III. To the end therefore, that the Spaniards themselves may have the Glory to cooperate in so honourable an Undertaking, as is the Establishing the Liberty and Felicity of their Native Country, the said most Serene Queen has been pleas'd to command Me to declare a-new Her Royal Pleasure, that I should, in Her Name, succour and support them: Accordingly by these Presents, I declare and publish, That all the Generals, Commanders, Officers and Soldiers of the Spaniards, of whatsoever Degree they may be, that will leave the Service of the Duke of Anjou, and give all due Obedience to his Catholick Majesty King Charles III. on their repairing to Me, (the aforesaid Earl of Galway,) shall be maintain'd in the Service of his Catholick Majesty, in the same Posts, Honours and Degrees, which they had before, without Exception of Persons; and that from the same Hour they shall be paid and maintain'd punctually, according to the Pay they before enjoy'd, out of the Treasury, which for these Glorious Ends, the said most Serene Queen has caus'd to be remitted to my Order. 'Tis to be hop'd there will be no Spaniards of Reputation, that will not make use of so favourable an Occasion of having the Honour to free their Country from Slavery truly ignominious, and of gaining the peculiar Esteem of their Lawful Monarch, King Charles III. Dated at Alcantara, April 30. 1706.

The March of the Portuguese and Confederates into Spain, struck a great Consternation at Madrid, where

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where the Duke of *Anjou's* Consort having Summon'd the Magistrates of that Capital City, she repair'd to their Assembly, and made to them the following Speech :

*The Dut-  
chess of  
Anjou's  
Speech to  
the Magi-  
strates of  
Madrid.*

I Sent for you hither, and appear my self to tell you, what Distress the State is in. I cannot conceal it from you, while the King is exposing his Life for your Defence. Heaven blesses his Arms in *Catalonia*, and we hope that *Rebellious* Province will shortly be reduced. Affairs do not go so well in *Estramadura*; The *Portuguese* advance; Will you tamely see such Enemies approach you? Do you not think of exerting your utmost Efforts to make them repent their Audaciousness? The Preservation of the Monarchy, is now the Point in Question: You ought, in this pressing Necessity, to shew your Loyalty and Zeal, by sacrificing your All for the King, for Me, and for your Selves. Powerful and speedy Succours are requisite. I am the first Queen that appeared in this Place on such an Occasion. When I give you such extraordinary Marks of Affection, I well deserve you should do something for me, and defend me.

But this Speech was not able to stir the flegmatick Humours of the *Spaniards*, or put them besides their slow cautious Measures.

The 20th the Confederate Army pass'd the *Tagus* over the Bridge at *Alcantara*, and came to encamp at *Pedras Albas*. The Duke of *Berwick* perceiving, that they bent their March towards *Coria* and *Placentia*, pass'd the *Tagus*, at the Bridge of *Canaveal*, and drew eight Battalions and twelve pieces of Cannon out of *Badujox*, ordering them to march to the Bridge of *Almaraz*, and causing them to be reinforced by the Battalion of *Chaves*, and some Militia. He came himself the 24th to *Placentia*, with his Cavalry; and the same day the Confederate Army arriv'd at *Coria*, an Episcopal City surrounded with pretty good Walls. All the Country round about, and the Inhabitants of the Mountain of *Gata*, which abounds with Wine, Oyl and Cattle, came in to submit; but nothing was exacted from them, but that they should remain Faithful to King *Charles III.* which they readily promis'd. The Army broke up from



from *Coria* the 26th, and went to encamp in a fine Plain on the Road to *Placentia*, near the Banks of the River *Alagon*. The 27th they moved to *Gallifera*, a little Town, situate on an Eminence, with pretty good Walls, and a Castle belonging to the Conde of that Name. Before they came to this Place, they detach'd 600 Horse to surprize a Guard; which the Enemy kept upon them to observe their Motions; but, upon sight of this Detachment, the Guard retired, and only some few of them were made Prisoners.

The 28th the Confederate Army moved, and encamp'd at *Placentia*, where the chief Care of the Generals was to cause Provisions to be gather'd in, Corn ground, and Ovens erected, the Enemy having destroy'd their Magazines of Corn, Meal and Oates; and the Bishop, the Corregidor, and some of the chief Inhabitants, left the Place, and follow'd the Duke of *Berwick*.

Here a Council of War was held, about the further Operations of the Campaign: All the Foreign Generals were unanimously of Opinion, to proceed directly towards *Madrid*; but the Portuguese Generals shew'd some Reluctancy to advance so far into *Spain*, without having more certain Accounts of the condition of King *Charles's* Affairs, particularly of the Siege of *Barcelona*. However, the Duke of *Berwick* being but four Leagues from thence, intrenching himself before the Fords of the River *Tietar*, with all the Troops he had been able to assemble, it was unanimously resolv'd to march and fight him, if he continued Fortifying that Camp. Accordingly, on the 1st of *May*, they broke up from before *Placentia*, and march'd directly to *La Venta Mazagona*. As soon as the Enemy perceiv'd the Motions of the Confederate Army, they caus'd their Baggage, and afterwards their Foot to march off. Their Cavalry retired next, in good order, leaving behind them a Rear-Guard, and some Dragoons on Foot in the Intrenchments. As soon as the Allies came near the *Tietar*, the Portuguese Infantry, which forded over that River, drove the Enemy from that Post, with a great deal of Gallantry: But, tho' the Cavalry pass'd the same River with great diligence, yet they could not come up with the  
Enemy,

A. C. 1705. The 10th of May, Don Joseph Belvis, a Gentleman of one of the best Families in *Valencia*, arriv'd in the Camp. He was dispatch'd by the Earl of *Peterborough* to the Earl of *Galway*, with Letters importing, That the Enemy had form'd the Siege of *Barcelona*, wherein they met with great Difficulties; and which, in all appearance, would draw into length; That his Lordship (the Earl of *Peterborough*) with a considerable Body of Regular Forces and *Miquelets*, had possessed himself of the Post of *Martorel*; That if the Enemy, as 'twas very probable, were oblig'd to raise the Siege, by the Arrival of the Confederate Fleet, it would be impossible for them to retreat thro' *Aragon*, but would be oblig'd to fetch a great Compass thro' *France*: Wherefore he desired my Lord *Galway*, to march directly to *Madrid*, where he would be join'd, as soon as possible, by all the Forces that were on that Side. This Important Message made but a slight Impression on the *Portuguese*, who having fix'd their Resolution, had sent already their Waggon and Carriages towards *Ciudad Rodrigo*. The Inhabitants of *Fruesillo* and *Caseres* sent to make their Submission to King *Charles*, and promis'd to furnish the Allies with some Quantities of Provisions; but neither did this Offer make any Alteration in the Measures already taken: And indeed the true Reason that prevail'd most with those two Cities to make that Compliment was, because their Communication with their Ice-Houses, was cut off; a forcible Argument in *Spain*, during the Summer, for People to submit almost to any Conditions.

But this Message makes but little Impression on the Portuguese.

The 11th of May, the Army began its March to return to *Venta Masagona*: And on that very day the Enemy were raising the Siege of *Barcelona* to retire into *France*, so that two Armies, which were near 150 Leagues distant from one another, retreated each to their own Country, out of the mutual Fear they had of their Enemy; and yet, which is no less remarkable, those two Armies met again two Months after near *Madrid*. The 12th the Allies encamp'd at *Placentia*, and exacted nothing either from that City, or from the Inhabitants of any other Place, being shy of Exasperating the Country People, who began to take up Arms, and attack the Stragglers.

The

The 13th they encamped at *Gallisco*, and the 14th at *Coria*. A. C.

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The Court of *Portugal*, upon the Complaints of the Foreign Ministers and Generals, that the *Portuguese* Generals would go no further, had sent Orders to the Marquis *de Minas* to act in Concert with my Lord *Galway*, and, at least, to continue near *Almaraz*, if the Army could, by any means, subsist there, till the Issue of the Affairs in *Catalonia* should be known: After which, if the same was favourable, his *Portuguese* Majesty ordered the Army to march directly to *Madrid*: But these Orders could not take place, by reason the Provisions and Carriages had been sent another way, and therefore it was resolv'd to pursue the Design upon *Ciudad-Rodrigo*. The Marquis *de Montandre* was commanded with Five Battalions and some Cavalry to possess himself of the Passes of the Mountain, called *Robradillo*. The 17th the Army incamped at *Cadahalso*. The 18th they went over the Mountain, and incamped at *Martiago*, where they found a great difference between the Climate of the *Old* and *New Castile*; for they had felt a great Heat at *Placentia* and *Almaraz*, whereas they had very cool Weather as soon as they had passed the Mountain. The 20th they passed the *Agueda*, and incamped within half a League of *Ciudad-Rodrigo*, which Place they invested the next Day, Colonel *Charles* having the Direction of the Siege: *Don Juan Manuel* with four Battalions made himself Master of the Suburbs, which done, they rais'd a Battery of 12 Pieces of Cannon, but tho' that Battery play'd on the very foot of the Wall, yet the same was built with so hard Stone, that they could not make any considerable Breach in 48 Hours. However, contrary to their Expectation, the Town <sup>And sur-</sup>surrendered the 26th, the Regiment of <sup>red</sup>*Asturia* being allowed to march out upon condition <sup>May 26,</sup>not to bear Arms for a year together, and 3000 Men, <sup>N. S.</sup>of the Militia of *Burgos* and *Valladolid*, giving up <sup>of the Raising</sup>their Arms, and swearing never to serve again <sup>of the Siege</sup>against the Allies. The Garrison marched out the 27th, on which Day the Allies received the joyful News of the Raising of the Siege of *Barcelona*, <sup>Portu-</sup>whereupon it was unanimously resolv'd to march <sup>guese re-</sup>towards *Madrid*. Accordingly they made all the necessary <sup>March to</sup>March to *Madrid*.

A. D. necessary Preparations for that March, and took Provisions for 24 Days. They decamped from Ciudad-Rodrigo on the 3d of June, and arrived the 7th at Salamanca, from whence the Duke of Berwick was retired towards the Pass of Guadarama; having destroyed as much Meal and Corn as his Men could come at, but nevertheless the Confederates found there sufficient Quantities to supply what their Army consum'd. They sent a Detachment to take Possession of *Alva de Tormes*; put a Garrison in the Castle: And on the 12th left Salamanca, and march'd towards the Pass of Guadarama, through a very fine Champain-Country; the Army observing pretty good Discipline. But here we must take Notice, that by reason of the Garrisons they had left in several Places, they had no more than 20 Portuguese Battalions; and that, through the great Desertion among them, the Army, which at the beginning of the Campaign, was above two and twenty thousand Men strong, was now reduced to 15 or 14 Thousand; for the Portuguese Soldiers, being very irregularly paid in the Field, many of them return'd Home very freely, and those who remained with their Regiments, either lived upon Ammunition-Bread, or what they could get from the Country.

The Confederates passed through *Peneranda*, a pretty Town inhabited by very rich Merchants, who before the War managed all the Woollen-Trade at *Bilboa* with *England* and *Holland*, and who appeared to be very much in the Interest of the Allies. The City of *Segovia*, the chief Staple for Wool in *Spain*, sent Deputies to make their Submission to King *Charles*, whereupon a Hundred Men were put into the Castle.

The 17th the Army incamped at *Villa Carteri*, where they erected the Ovens, and a Magazine under the Guard of one Battalion. The 18th they incamped at *Espinal*, where Deputies from the *Escurial* came to submit. They intercepted some of the Enemies Couriers, and by the Letters about 'em learn'd the most joyful News of the great Victory gain'd by the Duke of Marlborough at *Ramillies*, and that in general the *Spaniards* look'd upon the Duke of *Arjau* as undone. That Prince, after his ill Success before *Barcelona*, was come with great Diligence, by

by the way of *France* to *Navarre*, and from thence to \* *Madrid*: But when he saw that the *Portuguese* marched directly towards that Capital City, he resolv'd to retire from thence, to meet the *French* Troops that were returning through *Navarre*; and order'd most of his Troops which were dispersed throughout all *Spain*, to come and join him. The *Conde de las Torres* left *Valencia*, and brought up Twelve or Thirteen hundred Horse, with which, and other additional Forces, the Duke of *Berwick* had, in a Body, about Five thousand five hundred Horse, and Seventeen Battalions.

The Duke of *Anjou*, two or three Days before he left *Madrid*, call'd together all the *Grandeas*, and the rest of the Nobility, and acquainted them, That he was resolv'd again to take the Field, desiring, That they would accompany him; but they excus'd themselves, and most of them retired to their Country Houses, to expect the unravelling of this intricate Affair, without declaring for either Party. However, he oblig'd most of the Officers of the Tribunals to follow his Consort, who went to *Burgos*, and caus'd most of the Goods, belonging to the Crown, to be carried into *Navarre*. The *French*, before their Departure, destroy'd most of the Things they could not carry away, especially Provisions and Corn, and did all that was possible to distress the *Portuguese* Army, upon their Arrival at *Madrid*. They would fain have oblig'd the Militia to follow the Duke of *Anjou*, who set out from thence the 21st, but they could not persuade 'em to it, so that the only Game they had now to play, was to hasten the March of their Troops from *France*, and, by all means, to hinder the Conjunction of the *Portuguese*, and their Allies, with the Confederate Troops from *Catalonia* and *Valencia*. The most useful Man the Duke of *Anjou* had in his Service was *Don Francisco Ronquillo*, who had been a long time *Corregidor* at *Madrid*. That Minister had taken great care to place in the Magistracy of the most considerable Towns, Persons entirely devoted to him; and having sent up and down Reformed Officers to command the Peasants of *Castile*, who had been oblig'd to take up Arms, they were Masters of all the Passes.

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*The City of  
Madrid*

*sends Deputies to make  
their Submission.*

June 25.

N. S.

*The Lord  
Galway  
receives  
Letters  
from King  
Charles.*

The 23d of June, the Portuguese Army passed the Mountain at the *Puerto de Guadarama*, and incamped near the Village of that Name, within a League and a half of the *Escorial*. The 24th the Army incamped at *Nuestra Señora de Retamal*, and the same Day a Detachment of Horse, which was sent to *Madrid*, oblig'd that City to come to Obedience.

The next Day the *Alguazil* Mayor, with three other Deputies came from the *Corregidor* of that City to make their Submission in form, and all the Nobility and Persons of Note, either came in Person, or sent to assure the Confederates of their Devotion to the House of *Austria*: But none distinguish'd themselves more than the *Conde de Galba*, Brother to the Duke of *Infantado*, who publicly espoused the Interest of King *Charles III.*

Upon the Army's Arrival near *Nuestra Señora de Retamal*, my Lord *Galway* receiv'd Letters from King *Charles* and Count *Noyelles*, who said they referred themselves to the Bearers, from whom his Lordship learnt, That they had left King *Charles* at *Barcelona*, and that my Lord *Peterborough* had embarked the Infantry for *Valencia*, where the King was to join him with all the Cavalry, and then march towards *Madrid*.

The Portuguese seem'd very much to wonder that no Army was yet marching that way to join them; however they comforted themselves with the Hopes that Six Thousand Foot and Two Thousand Horse, which they thought would join them with the King would sooner come up, than the Troops which had retreated from before *Barcelona* would be able to reinforce the Duke of *Berwick*. The 27th. the Allies incamped near *Madrid* on the Banks of the *Manzanares*, where most of the Citizens and Persons of Distinction came to see them, looking upon them as their Deliverers; so that this Camp seem'd rather one of those Incampments, which are made for Diversion in time of Peace, than the Camp of an Army compos'd of Portuguese, English and Dutch, whom the French had represented in such odious Colours to the Spaniards.

The Confederate Generals press'd the *Corregidor* to cause King *Charles* to be proclaimed in form, but found the Performing of that Ceremony made a great many People uneasy. They said frankly,

ly, that they thought the *Portuguese* Army more numerous, than it was in reality, and that the great Opinion that was entertain'd of it, in *Madrid*, was very much abated since they had seen it; that it was uncertain when it should be reinforced by the King and the *English* Troops: that they were well inform'd that the *French* Forces, that return'd from *Catalonia*, began to arrive in *Navarre*; that those Troops were not ruin'd after the Raising of the Siege of *Barcelona*, as 'twas reported, because they had not been pursu'd in their Retreat; and lastly, that the Allies should thereby ingage the City of *Madrid* to make a step, in which they should not be able to maintain 'em. However this Ceremony was thought absolutely necessary for Reputation's sake; For the Confederates made no doubt, but that as soon as this Proclamation should be known, all the Troops that were in *Catalonia* and *Valencia* would march to join them, with all diligence, and that the King himself would not lose one moment in repairing to his Capital City.

The *Corregidor* demanded some Days to make, as he pretended, the necessary Preparations for that Ceremony, but in effect to receive Orders from Don *Francisco Ronquillo*, who, in all likelihood, gave him leave to perform it, that he might keep his Place; wherein he was very useful to his Designs. Hereupon, it was propos'd among the Generals, to appoint another *Corregidor*, but besides that the Person, who was in that Office, had a good Character amongst the *Partisans* of the House of *Austria*, it was very uncertain whether another should be better affected to the Interest of King *Charles*; and they could shew no Power from his Majesty to make a step of that Nature according to Law, so that the Consequences of it might have been dangerous.

The Proclamation was perform'd with Applause, and there appear'd great Joy in the Faces of all the People. The same had likewise a great Influence throughout the Country, for it occasion'd the Submission of several Towns, of which *Toledo* was the first; and Cardinal *Porto-Carrero* himself, wrote to the *Marquis das Minas*, and the *Conde de la Corfana*, assuring them, in express Terms, of his Obedience to King *Charles III.* Hereupon the *Conde d' Atalaya*,  
 U? Nephew

A. C.

1706.



Nephew to the Marquis *das Minas*, was sent to *Toledo* to compliment the Queen Dowager, and he waited also on the Cardinal, who renewed to him his Protestations. Care was also taken to send circular Letters to all the Cities and Towns, to exhort them to follow the Example of the capital City, which many did; and the Tribunals, or Courts of Judicature, were order'd to administer Justice in the Name of King *Charles* which they readily obey'd: All this pass'd very quietly, and without the least Opposition.

The main Application of the Confederate Generals was to send daily Expresses towards *Aragon* and *Valencia*, to press the King to come and join them with all the Forces he could assemble; and Orders were sent likewise for all the Troops that could be drawn from the Province of *Abeira*, to begin their March immediately towards *Madrid*. The Provisions they had brought with them, being almost consum'd, they made Application to such Men as were thought most understanding, with whom they contracted for the providing the Army with Bread, and for a Reserve of Bisket; and the better to enable them to perform what they undertook, some Money was advanc'd to em. *Madrid* being before the Confederate Camp it was thought more advisable to cover that City, and hinder its Communication with the Enemy as much as possible: Hereupon on the 25th of *July*, they incamp'd at *Puente de los Viveros*, having the *Xarama* before them; and here they had Advice, that a Detachment of *English* Troops, under General *Windham*, had made themselves Masters of *Requena*, which opens an entrance from *Valencia* into *Castile*. The Confederate Generals the better to cover *Madrid* threw a Body of Infantry into *Alcala*, under the Command of the Conde de *Toraca*, erected there their Ovens, repair'd the Mills, and set their Bakers at Work. The Enemy endeavour'd to carry away some Cattle from the Neighbourhood of *Alcala*; but some of their Parties were defeated, and oblig'd to quit their hold.

People in  
Madrid  
uneasy at  
King  
*Charles's*  
not coming  
to them.

In the mean time the People of *Madrid*, having no News from King *Charles*, began to be very uneasy. The Disaffected gave out, That he was sick, and had no Thoughts to come there; and, at the same



same time, industriously dispers'd Lists of the Troops that came from *France*, which, they said, would soon enable King *Philip* to cut off all the *Portuguese*, and chastize those, who shew'd their Affection to the House of *Austria*. These Reports made the greater Impression on the unsteady Minds of the People, by reason some days after two Priests did publickly make Oath, that King *Charles* was dead, and that they had seen him imbalm'd: The Confederate Generals caus'd one of them to be arrested; but having no certain Accounts whereby to destroy their false Depositions, they were not able to disabuse the people. On the 7th of *July*, they sent to the King, by the way of *Valencia*, the Captain of the *Hussars*, with Thirty Troopers to press his Majesty to come to them. The Commander of that Party lost most of his Men, who were kill'd by the Peasants in their March; notwithstanding which he reach'd the King, as well as several Couriers, tho' a greater Number fell into the Hands of the Enemy.

Two Monks  
Depose that  
he was  
Dead.

Several  
Expresses  
sent to King  
Charles.

After the Raising of the Siege of *Barcelona*, the Earl of *Peterborough* went from thence by Sea, to *Valencia*, with some Infantry, and it was expected, That according to the \* Resolutions taken in several Councils of War, King *Charles* should march thither, by Land, with the Horse, and so hasten together to *Madrid*, which undoubtedly was the wisest Counsel his Catholick Majesty could have follow'd. But many Delays were used in the Prosecution of it, so that it was the 2d. of *July* before his Majesty came to *Tarragona*, where being inform'd of the good Disposition of the Kingdom of *Aragon* towards him, Count *Noyelles* was order'd to march with some Troops thither. He was met at *Cavern*, seven Leagues from *Saragossa*, by the Deputies of the Kingdom of *Aragon*, having with them 800 Horse, and 2000 Foot. On the 5th of the same Month, he arrived at *Saragossa*, being receiv'd a League without the City by the Militia, as well Horse as Foot, and at the Gate by 100 Gentlemen in Arms, who all followed him to his Lodgings, through Crowds of People, that made loud Acclamations. The Magistrates complimented his Excellency; The Nobility of *Aragon*, and Deputies from most of the Towns

\* See the  
Appendix  
VIII. p. 82.

declares for  
K. Charles

Count  
arrives at  
Saragossa.

A. C. were come there to make their Submission to King Charles; and swore Allegiance to his Majesty, in presence of that General.

Whether this Torrent of Success, or a vain Belief that the Duke of *Anjou* and the *French* Army would never return again into *Spain*, or some other Motive, prevail'd with K. Charles, his Catholick Majesty unhappily chang'd † his mind of going by the way of *Valencia* for *Madrid*. The Earl of *Peterborough*, and those that were with him, were mightily surpriz'd, after a Months waiting at *Valencia*, to find that his Catholick Majesty had been advis'd and prevail'd upon by the Prince de *Liechtenstein* and the Count de *Cifuentes* to alter the former Measures at *Tarragona*, where they resolv'd to go to *Madrid* by the way of *Arragon*.

† See the Appendix p. 84.  
K. Charles resolves to go to Madrid by the Way of Arragon.  
The English and Portuguese Envoys protest against it.

on Pretence of settling that Kingdom, which had then declared for him. The Envoy of *Portugal*, and Major General *Stanhope*, Her Majesty's Envoy Extraordinary, did both protest against this Counsel, and urg'd to have their Reasons enter'd in Writing, The Substance of which was. 1. 'That *Arragon* being not well furnish'd with Provisions, it would be very inconvenient for the Troops to march that way. 2. 'That the Enemy having then 6000 good Horse ready to observe his Motions, His Majesty could not march that way without visible Hazard. 3. 'That though that Road were safe, it would be the loss of Six Weeks time, before he could arrive at *Madrid*, and that Time was of great Importance to him, in such a Conjuncture. Those about him who were for his going by the way of *Arragon* alleged, 'That it was not for his Majesty's Honour to go to *Madrid*, in a Hurry, without his Equipage and Retinue. To which it's said. Mr. *Stanhope* reply'd, That King *William*, when he made his Descent upon *England* went to *London* in a Hackney-Coach, attended by a few Dragoons, otherwise he might have lost the Crown. However the other Councils prevail'd, and King *Charles* pursued the Resolution of going by the way of *Arragon*. When the Earl of *Peterborough* heard of those Measures, he sent many Letters, with the unanimous Opinion of his Councils of War, That it would be best for his Majesty to return, and go by the Way of *Valencia*. But his Lordship's Letters, and the Opinion of the Councils

Councils of War, had no Effect. His Majesty went on to *Saragossa*, where the great Expectation of those, who advis'd him to that Road, terminated in being complemented with a Bull Feast, and spending about Thirty Days in a very fruitless and unhappy Progress. When they saw, too late, that Dangers approach'd, and that the direct way from thence to *Madrid* was not practicable, then they altered their Measures again, took the Road towards the Frontiers of *Valencia*, and sent to desire that the Earl of *Peperborough* would meet them with all possible haste.

A. C.  
1706.

In the mean time, the People of *Arrevalos*, a Place where Don *Francisco de Ronquillo*, President of *Castile*, has his House, were the first that rose, and took up Arms. The Inhabitants of *Segovia*, their Neighbours, follow'd their Example, and almost all *Old Castile* did the same; which retarded the Coming of the Convoy of Provisions which the Allies expected; cut off their Communication with *Portugal*, and hinder'd them from receiving any more Corn from *Old Castile*. The Inhabitants of *Mancha* did, soon after appear likewise in Arms, in favour of the Duke of *Anjou*: and 'twas not long before those of *Toledo* began to insult the Queen Dowager. Moreover the Persons with whom the Confederate Generals had contracted at *Madrid*, not being able to furnish them with the Quantities of Bread they had promis'd, by reason there was but little of the old Corn left; that the new was not yet thrash'd, and that they could get none, either from *Old Castile*, or *Mancha*, which generally supply *Madrid*, it was resolv'd to march to *Alcala*, that they might be nearer their own Provisions, which they did on the 11th of July; And, at the same time, sent some Detachments towards *Mancha*, in order to reduce the Rebels, and bring in Corn. One of those Detachments consisting of 200 Horse, and 300 Foot, was oblig'd to fight a Body of Peasants at *Quintanar*; and though they defeated that undisciplin'd Militia, yet the Allies had on that Occasion a Colonel of Horse, who commanded the Party, Five Captains, and Fifty private Men, kill'd. On the other hand, the City of *Toledo* declar'd for, and proclaim'd again, the Duke of *Anjou*, some Peasants of the Places that had taken up Arms against the

Several  
Towns rise  
in favour  
of the Duke  
of Anjou.

The Confe-  
derate Ar-  
my reduced  
so great  
Streights.

A. C. the *Portuguese*, and who had secur'd most of the Passes over the *Tagus*, having entred the City.

1706. The 5th of *July*, the Confederate Generals march'd with the Horse and Foot of the first Line to *Guadalaxara*, upon Account of the Goodness of the Air and Water; the Conveniency of Forrage, and the Advantageousness of that Post: But the rest of the Army, with the Artillery and Provisions, continued encamp'd at *Alcala*. The same Day they were inform'd, that King *Charles* was come to *Saragossa*, where, upon they dispatch'd thither Quarter-Master-General

They march  
to Guada-  
laxara,  
July 15-  
N. S.

Colonel  
Bourguet  
ent to the  
King.

*Bourguet*, with 30 Troopers, to desire his Majesty not to lose any Time; but repair, with all speed, to *Madrid*, with all his Troops: And Colonel *Bourguet* was ordered, either to return himself, or send a positive Account, what they were to depend upon.

When they begun to thrash the Corn in the Country, the Allies sent up and down Detachments of of Horse, who caused some to be brought to *Alcala*, from whence they drew more certain Subsistence, than from those we had contracted with at *Madrid*, who never furnish'd them with half of what they had promis'd. In the mean time they receiv'd daily Intelligence, by Deserters, Prisoners, and People that return'd to *Madrid*, that the *French* Troops were arriv'd; and the Enemy's advanc'd Guard of Horse was so near that they cried to that of the Allies, 'That they would shortly have their Revenge, and 'make them fly in their Turn.

The Confederate Generals began to be very uneasy; for there were great Murmurings in *Madrid*, and the People in all Places did not shew the same respect for their Troops, as they did before. Hereupon it was resolv'd to send to *Toledo*, a Detachment of Two thousand Foot, Five hundred Horse, and Four Pieces of Cannon. in order to reduce the Place; cause it to be fortify'd; erect Magazines there; leave in it the heavy Baggage, and afterwards keep the Field with a light Army; that they might the sooner withdraw to *Toledo*, if they were press'd, that Post being the best they could take; for thereby they became Masters of the Passage over the *Tagus*, and might, at the same time, preserve their Communication with *Portugal* and *Valencia*. That Detachment was to march the 26th of *July*, under the

Com-

Command of the General of the Artillery Don Pedro' A. C. Mascarenas; but they receiv'd Letters from Saragossa, in answer to the Message sent by Colonel Bourguet, whereby they were inform'd, that the King was to be the 28th at Molina in Arragon, and because he was to pass within 13 Leagues of the Enemy, who were at Xadraque and Atienza, he desir'd that they should cover his March, adding, that my Lord Peterborough was to join him, and that the Troops were in motion to reinforce the Portuguese Army.

This Intelligence fill'd the Army with incredible Joy; the Project of securing Toledo was laid aside, and it was resolv'd to march towards the Enemy, in order to keep 'em in play in such a manner, as that they should have no thoughts to disturb the King's March. The 28th they march'd to Sopetram, and encamp'd between that place and Tia, where they had certain Information, that the Enemy assembled all their Forces at Xadraque. Thereupon it was debated whether they should march on to the Enemy, which being resolv'd upon, the Army began to move at Mid-night. When they arriv'd near Xadraque, they found that the Van of the Enemy's Army began to march towards them, but the Enemy repass'd the Defilees as soon as they perceived the Allies. The Country was so difficult, that it was not possible to come to a general Engagement, and therefore the Armies did only cannonade one another, and skirmish for two days.

The Enemy's Camp increasing daily by the Reinforcements they receiv'd, the Confederate Generals thought fit to return to Guadalaxara; the rather because the King was suppos'd, by this time, to be past all danger. The 31st they went to incamp at Junquiera, whereupon the Enemy broke up likewise, and incamp'd within 2 Leagues of them. The 1st of August they march'd towards Guadalaxara, where the Portuguese saw that they were going to lose the Communication with their Country, which they might have preserv'd by posting themselves behind the Carame, and marching from thence near Guadarama: But they judg'd, that if they made that motion, and the Enemy should detach some Troops against King Charles, they might drive him again as far as Barcelona. The Confederate Generals observing, that the

A. C.  
1706.

The Confederate and French Armies are in Sight.

The Confederate march back to Guadalaxara.

A. C.  
1706.

w

The French  
retake Ma-  
drid.K. Charles  
joins the  
Confederate  
Army, Au-  
gust 6. N.S.

the Enemy design'd to force them to a general Engagement in the Plain, before they were joined by the Reinforcements they expected, they put the River *Henares* between the Enemy and themselves, having given Orders for all the Provisions and Baggage they had at *Alcala* to be drawn from thence; which was executed, with the Loss only of some few Waggons, which were left behind, and which were plunder'd by the Enemy and the Peasants, who took likewise some Prisoners. The 2d of *August* the Enemy came and incamp'd before the Allies, the *Henares* being between both Armies. The First, which was stretch'd on one Line only, to make the greater shew, consisted of 47 Battalions, and 80 Squadrons; whereas the Confederate Forces consisted only of 28 Battalions, and 42 Squadrons. The 3d, the Enemy made a Detachment from their Army, that entred *Madrid* the next Day; that City returning readily to the Obedience of the Duke of *Anjou*. Some Miquelets and others, who had retired into the Castle, surrendered the same upon Terms, whereupon the Partizans of *France* exercis'd all imaginable Cruelties

against those of the House of *Austria*. The King arriv'd the 6th of *August*, in the Evening, at *Guadalaxara*, where he was receiv'd with unexpressible Joy, under three Salvoes of all the Artillery and small Arms. My Lord *Peterborough* was with his Majesty, who brought with him his Troop of Life-guard, his Regiment of yellow Dragoons, which made four fine Squadrons; that of Horse of *Don Pedro Moras* in a very good condition, making also four Squadrons, and three compleat Battalions, one *Italian* in his Majesty's Pay, and two *Dutch*. Two Days after, there came up two other Battalions of his Majesty's Troops, viz. one of *Castilians*, and the other of *Germans*, with the Regiment of *Raby's* Dragoons, making three Squadrons, and that of *Pierce*, one; so that the Confederates receiv'd a Reinforcement of 13 Squadrons and 5 Battalions, which however did not put them in a condition to go in quest of the Enemy; who were much superior, both in Horse and Foot. A few days after the Earl of *Peterborough*, returned to the Fleet, and sail'd for *Italy*, to negotiate Supplies, particularly of Money, for King *Charles*.

After

After the Confederates had consumed the Provisions and Forrage of *Guadalaxara*, they march'd towards *Chincon*, where they arriv'd the 14th of August; and incamped with the left towards *Colmen-Tie Con-*  
*are*, where they posted Count *Dhona* with four Battalions to cover themselves on that side. In this Camp they were very hard put to it for Meal: But with much ado they made use of their Mills, and by the extraordinary good Order and Husbandry of the Generals. the Army subsisted plentifully in that Post a whole Month, only by what they got from *Chincon* and *Colmenare*, and some neighbouring Villages. *Chincon* being but five Leagues from *Madrid*, the Enemy observed the Allies along the *Henares* and incamped at *Campofuclos*, the *Xarama* being between both Armies. Nothing considerable happen'd all that while, save only that the Enemy gain'd some little Advantages over small Parties and Forragers, meerly by the favour of the Country People, who would fain have been rid of the Portuguese, and delivered from the Inconveniencies of War.

At length, when the Confederate Generals saw there was no Hope of receiving any more Reinforcements, and that no Diversion was made to oblige the Enemy to divide their Forces, it was resolv'd to pass the *Tagus*, before the Rains should render it impracticable. The Enemy had boasted all along to hinder them from it, by Fighting them: And indeed it was a difficult Undertaking to march forty Leagues in sight of an Enemy much superior, and thro' a Country altogether unknown. However, Colonel *The Confederates re-*  
*Charles* having been sent some days before to view the Ground, that they might direct their March according to his Report, they pass'd the *Tagus* at *Fuente de Duennas*, without the least Opposition from the Enemy, who cross'd the same River four Leagues below that Place. The next day they encamp'd at *Barajas* and the day following at *Veles*, where Lieutenant General *Windham* join'd them with three Battalions, and a Regiment of Horse, newly raised by the Earl of *Peterborough*. They continued their March thro' *Mancha*, which is a fine champaign fruitful Country, full of great Villages, encamp'd at *Palamares*,  
*Torres,*

A. C. Torres, *Tonfilos, Casra*, and pass'd the *Xucar* at the Bridge of *Olibos* near *Velverdo*. They were enclined to have taken Quarters behind that River, but the Post of *Alarcon*, which is a pretty strong Castle, and a Passage over that River, being possess'd by the Enemy, 'twas thought they could not be secure there; the rather, because part of the Enemy's Army arriv'd near that Place, as soon as they on the other side. Lieutenant General *Windham* brought with him from *Gueta* (or *Huerta*) a seasonable supply of Bread and Bisket for four days, which the Earl of *Peterborough*, and himself, had gather'd from the Neighbouring Country, during his stay in that Place.

The Enemy pass'd the *Tagus* at *Aranjuez*, with all their Forces, and with a strong Body of Horse observ'd, and endeavour'd to disturb the March of the Allies. But they never found an Opportunity to attack them with Advantage; so that, at last, the latter pass'd the *Xucar* near *Velverdo*, from whence they march'd to *Montila*, and then to *Peral*, where they staid a few Days. On the other hand the Enemy posted themselves near *Alarcon*, but the Parties they sent out to observe the Confederates were generally worsted.

On the 25th of September, the Duke of *Berwick* being inform'd, that the Allies were to march thro' *Berwick* a Plain, to come to *Tniesta*, and draw near the *Xabriel*, drew all his Forces together, and advanc'd with so great Diligence in the Night, that his Van appear'd in the Plain, just as they began their March. Hereupon my Lord *Galway*, with wonderful Presence of Mind, made the necessary Dispositions for a Battle; causing all the Cavalry of the first Line, which made a Column opposite to the Enemy, to advance; giving the Command of the Foot of that Line to Sir *Charles Hara*; And, ordering the Second Line to march in Battalia, behind the Infantry of the first. This Disposition was made, that which Way soever the Enemy should approach them, they should have a sufficient Front to oppose them; And, at the same time, the Allies march'd on in such a manner, that the Enemy never found an Opportunity to come to a general Engagement with

*The Duke of Berwick makes a shew of attacking the Confederates, but is prevented*



with Advantage. On the contrary, all the Squadrons that advanc'd towards them, were vigorously repuls'd with Loss; and the Confederates had the time to arrive at *Tucista*, where they posted their Right, and the Army was drawn up in Order of Battle, having a little Rivulet before their Front. The King himself led the Columns, and posted the Troops on the other side of the Rivulet, the Earl of *Galway* taking care to see them all pass in good Order. The Horse the Enemy sent to disturb them, was routed; and some *Portuguese* Squadrons that were very weak, defeated several of the Enemies that appeared much stronger. The Marquis *das Minas* continued all the while in the Rear, and when the whole Army was pass'd, they expected the Enemy in Order of Battle; but though all their Infantry was come up, yet they found the Allies in so good a Posture, that they never durst attempt to attack them. The Baggage continued their March, and afterwards the whole Army began to move, in the day-time, and in sight of the Enemy; and pass'd the *Xabriel*, without the least Opposition. After this Remarkable and Successful March, the Confederate Army took their Quarters from *Requena* to *Denia*, having possess'd themselves of *Cofrentes*, and put a Garrison into *Cuenca*, whereby they preserv'd an Entrance into *Castile*, and at the same Time, were able to protect those Countries that had before submitted to King *Charles*; who, for the same Purpose, sent most of his own Troops into *Arragon*. This Justice must be done to all the Confederate Forces, both Officers and Private Men, that they shew'd, during all this Campaign, great Courage, Patience and Readiness, whereby they supported themselves, beyond what could be expected, in the Difficulties they struggled with, in that barren, and unfriendly Country: Which was, in great Measure owing to the Steddy Zeal and Conduct of the Marquis *das Minas*, and the Admirable Address and Vigilance of the Earl of *Galway*. 'Tis true, the Loss of *Madrid*, after the Confederates had been so long Masters of it, seems to cast an indelible Blemish on this Campaign: But 'tis plain, by the foregoing Account (which was transmitted to the Writer of these Annals, by a General Officer of that Army, absolutely

The Confederates pass'd the Xabriel.

And go into Quarters from Requena to Denia.

The Loss of Madrid wholly to be charg'd on King Charles's going to Saragossa.

A. C. absolutely free from Partiality) that that unpardon-  
 1706 able fault is wholly to be charg'd on the unhappy  
 Council of King Charles's Progress to Saragossa.

Salaman-  
 ca Lost.

And retu-  
 ken Sept.  
 17. N. S.

Whilst the Confederate Army lingred about *Ma-  
 drid*, the City of *Salamanca*, which had submitted  
 to King Charles, declared again for the Duke of  
*Anjou*, upon the Arrival of the Marquis de Bay with  
 some Troops from *Estramadura*; and soon after,  
 assisted in the Plundering a Convoy, which was  
 sending from *Portugal* into *Castile*, under the Con-  
 duct and Command of Major General O-Farel.  
 Hereupon the Viscount de Fonte Arcada, drew to-  
 gether a Body of Troops at *Ciudad-Rodrigo*, consist-  
 ing of some *English*, and the rest *Portuguese*, to the  
 number of about 8000 Men; and march'd directly to  
*Salamanca*. Hereupon, the Governor, whom the Marquis  
 de Bay had left there, retired with his Small *Spanish*  
 Garrison to *Penaranda*, having engag'd the Inhabi-  
 tants to defend themselves, upon Promise that he  
 would return, with a greater Force, to their Relief.  
 The Burghers made a weak Defence for three Days,  
 and then surrendred; Redeeming themselves from  
 being Plunder'd and Burnt by paying 100000 Pieces  
 of Eight in ready Money, giving Hostages for the  
 like Sum to be paid in 4 Months, besides 2000 Pi-  
 stoles paid down, which they had promised the  
 Marquis de Minas, when he first reduced that Place;  
 by restoring such part of the Booty taken from the  
 Convoy which Major General O-Farel commanded, as  
 had been brought into that Place; by delivering up  
 their Artillery, and other Arms, Ammunition and  
 Provisions, for the Use of his Catholick Majesty,  
 and the regular Troops in their Garrison to be Pri-  
 soners at Discretion; and by making their Sub-  
 mission, and Swearing Allegiance a-new to King  
 Charles III. The Viscount de Fonte Arcada, design'd  
 to have proceeded as far as *Madrid*, in order to rein-  
 force the Confederate Army; but being inform'd  
 that King Charles was march'd for *Valencia*, he re-  
 turn'd from *Salamanca* to *Ciudad Rodrigo*, and the  
 Convoy of Cloaths and Money he had under his  
 Guard, was, afterwards sent by Sea to *Valencia*.

When Sir John Leake had landed the Forces, he  
 brought from *Barcelona* at *Valencia*, it was resolv'd  
 in a Council of War, to proceed with the Fleet to  
*Alicant*;

*Alicant*; but being got the Length of *Altea*, two Gentlemen came off, and acquainted the Admiral, That the Inhabitants of *Carthagera* were so dispos'd to the Interest of their Lawful Sovereign, King *Charles III.* that upon the Appearance of the Fleet, they believ'd the City would declare for His Majesty. It was thereupon resolved to proceed to *Carthagera*; and the Fleet arriving there on the 12th of *June*, N. S. Letters were immediately sent to the Governor and Magistrates to summon them to surrender, and to encourage the Citizens to declare for King *Charles III.* In the mean time, the necessary Dispositions were made for Attacking the Place by Sea and Land: But about Eleven, the *Carthagera* next Morning, they sent Deputies to make their Submission; and a Garrison was put into the Town, consisting of 600 Marines, under the Command of Major *Hedges*. This done, the Fleet sailed from *Carthagera* on the 18th, and went to Water at *Altea*. While Sir *John Leake* was off of that Place, he received Information, That two Gallies belonging to *Carthagera* were to sail in few Days from thence to *Oran*, with Money to pay that Garrison; upon which he detach'd her Majesty's Ships the *Hampton-Court* and *Tyger* to cruize off of that Place, in order to intercept them: They found them next Day at an Anchor off of *Cape Palamos*; and as soon as those on board the Gallies discover'd the Ships were *English*, they came off, and declar'd for King *Charles*.

na surren-  
ders, June  
13.

Two Gallies  
declare for  
K. Charles

On the 7th of *July*, N. S. Sir *John Leake* arriv'd with the Fleet before *Alicant*, where he found a different Reception from that he met with at *Carthagera*; Brigadier *Maboni*, a brave *Irish* Man, who commanded in the Place, and had a numerous Garrison with him, having declared that he would defend himself to the last Extremity. As soon as the Marines on Board the Fleet were reinforc'd by a Detachment of *English* Forces, under the Command of Brigadier *Gorges*, Sir *George Bing* was sent in with some Ships to cannonade the Town and the Castle; and having made a Breach in the first, it was resolv'd to storm the same, Sword in Hand, which was executed with Success. A Draught of 40 Seamen out of every Ship being made to assist the Land

A. C.

1706.

*The Town of Alicant taken by Storm, Aug. 8. N. S.*

Forces, their innate Courage, and the Hopes of Plunder, carried them on to the Attack, with all the Chearfulness and Vigour imaginable. Major *Rapin* of the Lord *Mohun's* Regiment, who commanded the Grenadiers, marched on with a great deal of Bravery, and hoped to be the first Man in the Town; but he was prevented by Capt. *Passenger* belonging to the Ship the *Royal Anne*, who had the Honour to be the first Officer that mounted the Breach, and had five of his Boats Crew killed or wounded that helped him over: and with 20 or 30 Seamen, drove 4 or 500 Men of the Enemy before him, taking several Prisoners, and among them two Captains of Horse. Major *Rapin*, with the Grenadiers under his Command, entering the Town immediately after, Brigadier *Mahoni*, with the greatest Part of the Garrison, retired into the Castle. The Allies had only 17 Men killed; and among them Lieutenant Colonel *Petit*, of *Mohun's* Regiment, who being Shot in the Market Place from a Window, after the Action was over, the House from whence the Piece was fired, was broke open, and five or six *Irish* Men, that were found in it, put to the Sword. Of the Enemy a great many were kill'd and wounded, and among the latter Brigadier *Mahoni* himself, who, at first made a shew of Defending the Castle, but the Confederates having thrown some Bombs into it, he consented to surrender that *Fortress* on honourable Terms.

*The Castle surrenders on honourable Terms.*

Sir *John Leake*, having, according to his Orders, detach'd Sir *John Jennings*, with 12 Men of War for *Lisbon*; and water'd in *Altea* Bay, sail'd from thence the 6th of *September*, towards *Ivica*. He arrived there three Days after; and found the Governor and the Inhabitants of that Place, so well disposed for King *Charles III.* That upon the first appearance of the Fleet, they sent Deputies on Board, to make their Submission to his Catholick Majesty. The 13th of the same Month, the Fleet sail'd from *Ivica*, and was the next Day before *Majorca*, where the Conde de *Alcudia*, the Viceroy, with some few that favour'd the Duke of *Anjou's* Interest, pretended to make Resistance. But two Bomb Vessels being sent in, upon their throwing in three or four Shells, the Inhabitants oblig'd the Viceroy to desire a Capitulation,

*Ivica submits to King Charles.*

pitulation, which was the next Day \* concluded. A. C. Sir John Leake having thus brought those two Islands 1706. to Submit, and left a Garrison in the Castle of Porto Pin, and two Men of War to transport the Vice-Majorca roy, and the rest of the Disaffected Persons, who <sup>educ'd,</sup> were desirous to remove, sail'd the 23d from <sup>Ma<sup>r</sup></sup> Sept. 7. jorca, pass'd through the Streights the 2d of October. O. S. See The 4th, being off of the Southward Cape, he de-<sup>the Appen-</sup> rach'd Sir George Bing with a Squadron towards <sup>dix Numb<sup>s</sup></sup> Lisbon, and with the rest of the Fleet, proceeded IX. p. 89. on his Voyage home; happily arriv'd on the 17th Sir John at St. Hellens; some days after came up to London; <sup>turns home.</sup> and having waited on the Queen and her Royal He is well Comfort, receiv'd from them both, that gracious <sup>receiv'd by</sup> and generous Reception, which his long, Eminent <sup>the Queen</sup> and Successful Services, had so well merited. <sup>and Prince.</sup>

The Duke of Berwick oblig'd the Garrison of Cu-Cuenca <sup>enca</sup> to surrender Prisoners of War, on the 8th of <sup>retaken by</sup> October, N. S. But finding it too hazardous, not-<sup>the Duke of</sup> withstanding the great Superiority of his Forces; to Berwick. disturb the Confederates in their other Quarters, by reason of the good Dispositions, Care and Vigilance used by the E. of Galway, he turn'd his March towards Carthagena. This Place was invested the 10th of November, N. S. by Major General Mahoni, who attempted the next Day to reduce that Town by a Scalado; but his Grenadiers, supported by the rest of his Forces, were so well received by the Garrison; who fired 70 Cannon, laden with Cartridge-shot, upon them, that they were oblig'd to retire with great Loss. They resolv'd afterwards to attack the Place in Form; and having open'd their Trenches, made a Battery of four Cannon; which being destroyed by the Artillery from the Town, they made another the next Day; whereupon 50 Men sallied out to nail up the Enemy's Artillery, but were driven back. On the 15th an English Sergeant, and 15 Soldiers, got into the Place with a Quantity of Ammunition and other Warlike Stores: But not-<sup>As also Car-</sup> withstanding this Supply, the Town surrendred <sup>thagena,</sup> three Days after, the Garrison consisting of 800 Nov. 18. Spanish Soldiers, a great many armed Peasants; and N. S. some few English, being made Prisoners of War. Alcantara surpriz'd On the other Hand, the Marquis de Bay having <sup>by the Mar-</sup> form'd a Design to surprize Alcantara, executed it <sup>quis, de</sup> the B. y.

A. C.  
1706.

the Night between the 14th and 15th of *December*, tho' he had but 800 Foot and 200 Horse. He committed the Conduct of this Enterprize to *Don Joseph d'Armendariz*, who having with some Soldiers scal'd the Wall, and kill'd the Sentinels, found Means to seize a Gate, at which they let in the rest. The *Portuguese* who were almost equal in Number with the Assailants, ran to their Arms, but after some Resistance, they yielded themselves Prisoners of War.

The Loss of this Place, thro' the Supineness of the Governor, was a great Mortification to the Court of *Portugal*, whose Counsels were then in a fluctuating Condition, by Reason of the late Death of *Don Pedro* their King, who on the 4th of *December*, N. S. by sitting in the Air after a brisk Exercise, caught cold, which affected his Head, and caus'd a great Defluxion. The 5th he went to *Lisbon* to Chappel, and after Divine Service returned to his Palace of *Alcantara*, and found his Head very much out of order. The 6th in the Evening his Majesty fell into a sort of Lethargy, whereupon proper Medicines were administred to him, which gave him Ease in his Head; but the Defluxion falling upon his Lungs, he was let Blood in the Foot the next Morning, and in the Evening found himself much better; and all the following Night there were great hopes of his Recovery. The 8th his Majesty was let Blood in the Arm, but a great Quantity of Water came out with the Blood, and the King soon after fell into a more profound Lethargy than before. He received the Extream unction that Night; and his Distemper increasing upon him, he fell into Convulsions about 11 the next Morning, and died in two Hours after; aged 57 Years and 3 Months. He was born in 1648, declared Regent of *Portugal*, on the Deposing of his Brother *Alphonso* in 1668, and succeeded in the Throne in 1682. He Married first *Maria Frances Elizabeth*, Daughter to the Duke of *Nemours*, and had by her one Daughter, named *Mary Elizabeth*, born in 1669, who died in 1690. By his Second Queen, *Mary Sophia*, Daughter to the late Duke of *Newburgh*, and Elector *Palatine*, he had four Sons and one Daughter, viz. *Don Juan*, Prince of *Brazil*, born in 1689;

The King of  
Portugal  
dies.

His Marri-  
ages and  
Issue.

1689; Francis, born in 1691; Antonio born in 1695; A. C. Manuel born 1697; and Francisca, born in 1699. 1705.  
 He was a Man of unusual strength of Body; but he had impair'd his Constitution by too much indulging his Passion for the fair Sex. It must be said in his Praise, that in his Reign the Riches and Trade of his Kingdom encreas'd very much; and that he was a very Popular Prince, taking Delight in giving Audience to the meanest of his Subjects; among whom none was so Hearty and Zealous in the Interest of the Common Cause, as Himself: A Character, which, 'tis said, the Earl of Galway gave of that Prince; whose Body was inter'd the 11th of the same Month in the Monastery of San Vincente de Don Juan, Foro. He was succeeded by his Eldest Son the Prince of Brazil, who was stiled Don Juan IV. and who, to the great Mortification of the Partisans of France, declared a few Days after, That he would religiously and punctually observe all the Engagements enter'd into by his Royal Father, with the High Allies.

The Confederate Fleet, under the Command of Admiral Shovel, with a good (A) Body of Land Forces, commanded by the Earl Rivers, which, at this very Juncture, happen'd to be in the River of Lisbon, did not a little contribute to the Disappointing

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(A) A List of the Land-Forces under the Command of the Earl Rivers.

| Regiments of FOOT.                            |                       | Regim of DRAGOONS. Sq. |                     |
|-----------------------------------------------|-----------------------|------------------------|---------------------|
| In English<br>Pay; be-<br>sides Ma-<br>rines. | D Franc. de Ferrer's  | In English<br>Pay.     | Brig. Carpenter's 1 |
|                                               | Colonel Hill's        |                        | Lord Essex's 2      |
|                                               | Lord Mordaunt's       |                        | Marq. Guiscard's 4  |
|                                               | Brigad. Farrington's  | Dutch.                 | { Slippenbach. 3    |
|                                               | Brigad. Macartney's   |                        |                     |
|                                               | Col Watkin's          |                        |                     |
|                                               | Sir Chas. Hotham's    |                        |                     |
| Lord Macquar's                                |                       |                        |                     |
| Colonel Sibour's                              |                       |                        |                     |
| Count Nassau                                  |                       |                        |                     |
| In Dutch<br>Pay.                              | Count Torfay's        |                        |                     |
|                                               | Maj. Gen. Belcastel's |                        |                     |
|                                               | Brigad. Lislemarais's |                        |                     |
|                                               | Cavalier's.           |                        |                     |

A. C. ting the secret Cabals of the *French Faction* in, the  
1706 Court of *Portugal*. The occasion of that great Arma-

ment was this: Besides the other Ways that were,  
Design of this Year, made use of to distress the Common Enemy,  
Descent up it was thought expedient to attempt a Descent upon  
on France. France, where the Persecution of the Protestants, and

the heavy Oppression of all the Subjects, had prepared them to a general Insurrection: Of which, clear Indications had lately appear'd in several Risings, in different Provinces. This Counsel was the more readily embrac'd, by Reason her *Britannick Majesty*, out of a Pious and Tender Compassion for the Protestants of that Kingdom, was desirous to give them an Opportunity, and afford them Her Powerful Assistance and Countenance, to regain their Ancient Liberties, granted and confirm'd to them by Solemn Edicts, particularly that of (b) *Nantes*. The States

(b) See  
the Ap-  
pendix,  
Numb. VI.  
pag. 70.

(c) See the  
IVth Vol.  
of these  
Annals,  
P. 158.

General of the *United Provinces*, readily concurr'd with the Queen in that generous Design; and the Marquis de *Guiscard* having, the Year before, been (c) recommended to Her Majesty and their High Mightinesses, as a most proper Person to contribute to the Success of such an Enterprize, Her Majesty honour'd him, in this intended Expedition, with the Title of Lieutenant-General, which he had before in the Emperor's Service; gave him the Command of a Regiment of Dragoons, and the Direction of six (K) Regiments of Foot, all seven newly form'd in *England*, out of the *French Refugee-Officers* on the *Irish* Establishment, who rais'd about the 3d part of their Complements here in *England*; and

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(K) The six *French* Regiments of Foot were, at first given, 1st. to the Earl of *Lifford*, Son to the late Count de *Royé*, a Major General; 2. Count *Paulin*, Lieut. Colonel in the Lord *Windfor's* (now Col. *Massam's*) Regiment of Horse; 3. Count *Francis* of *Nassau*, youngest Son to Monsieur d' *Auverquerque*; 4. Col. *Sibourg*, Lieutenant Colonel of *Schomberg's* Regiment of Horse; 5. Colonel *Montargis*, and 6. Colonel *la Barthe*. The Lord *Lifford*, Count *Paulin*, and Col. *Montargis*, having, afterwards, laid down their Commissions, the same were given to Col. *Veymar*, who was made a Brigadier; Colonel *Fonsjuliane*, and Col. *Blosset*: But when the Thoughts of a Descent upon *France* were laid aside, Count *Nassau's* Regiment, which was almost compleat, and Col. *Sibourg's*, (into which the Men of the other four *French* Regiments, and Col. *Blosset's* Officers were incorporated) were only preserv'd.



and, 'twas rightly judg'd, that the Men they wanted would soon be supplied upon their Landing in France. Besides these uncompleat Regiments, England furnish'd towards this Expedition, eight English † Battalions of Foot, (without including the Marines,) and two Regiments of Dragoons; And the Dutch four Battalions of Foot, and three Squadrons of Dragoons: All which Forces, to the number of about 10000 Men, were to be commanded in Chief by the Earl Rivers, having under him Lieutenant-General Erle, the Marquis de Guiscard, Lieutenant-General and the Earl of Essex and the Lord Mordaunt, Majors-General. The Command of the Fleet was given to Sir Cloudesty Shovel, who arriv'd at Portsmouth, (where was the Rendezvous of the English and Dutch Squadrons and Transports) on the 18th of July, and the next day hoisted his Flag on Board the Britannia. All the English Forces being embark'd, sail'd to St. Hellens the 27th, and the same day, the Earl Rivers, and the Marquis de Guiscard arrived at Portsmouth. On the 30th the Generals embark'd at St. Hellens, where they waited some days for the arrival of the Dutch Squadron and Transports, that were detain'd in the Downs by contrary Winds. On the 4th of August, upon a false Information, that the Dutch Fleet was in the Offin, Sir Cloudesty Shovel immediately weigh'd Anchor, and stood out to Sea, but the Wind being but little, and not very good, he was oblig'd to anchor again in sight of Portsmouth, and on the 6th return'd to St. Hellens; where, the same day, the Marquis de Guiscard entertain'd, at Dinner, the other General Officers on Board his own Ship, the *Namur*. The Wind being, at length, turn'd Easterly, and a brisk Gale, Sir Cloudesty, with the whole English Fleet, sail'd from St. Hellens on the 10th of August, in the morning; judging, that the Dutch could not be far off, by reason the Wind began to be fair the night before. But, whatever was the Cause, the Dutch Fleet did not come to St. Hellens till the 12th in the morning; and was obliged to anchor there one Tide, to get intelligence of Sir Cloudesty Shovel, and to take in fresh Water, which they very much wanted. This Delay prov'd a fatal Disappointment to the intended Descent: For the English Fleet, which appear'd off of Plimouth the

A. C.  
1705.

† See the foregoing Marginal Note

mark'd (A)

The Earl Rivers

Commander of the Land-

Forces, and

Sir Cloudesty Shovel

vel of the Fleet.

The Fleet sails from

St. Hellens.

A. C. 12th about noon, laid by till the evening, and was  
 1706. not join'd by the *Dutch* till the 14th in the morning,  
 when the whole Fleet being come near the Chops of  
 the Channel, was forced into *Torbay* by a strong We-  
 sterly Wind, which continuing several Weeks in  
 the same corner, the Ships of the first and second  
 Rate were laid up, and the design of Landing in  
*France* laid aside. Hereupon the Marquis de *Guis-*  
*card* and the Lord *Mordaunt* left the Fleet, which on  
 the 1st of *October* sailed for *Lisbon* with the Land-  
 Forces. However, this great Armament had this  
 good Effect, that it kept the Coasts of *Normandy*,  
*Brittany*, *Poitou*, *Xaintonge* and *Guienne* in perpetual  
 Alarms; put the Enemy to a vast Expence; em-  
 ploy'd some of their Regular Forces, and obliged the  
*French King*, at the very time his Treasury was re-  
 duced to the lowest Ebb, to grant an Exemption of  
 Taxes to the Inhabitants, within ten Leagues of the  
 Sea, to keep firm to his Obedience.

Is forced  
 into Tor-  
 bay by con-  
 trary  
 Winds.  
 The Des-  
 cent mis-  
 carries.  
 The Fleet  
 sails for  
 Lisbon.

The Fleet, under the Command of Admiral *Shovel*, met with extraordinary bad Weather, and was dispers'd, notwithstanding which some of the Transports reach'd the River of *Lisbon* the 18th of *October*; and all the rest came in safe the following days, except three or four Transports that were forc'd into *Ireland*. The Men of War, and other Vessels, having repair'd the Damage they sustain'd in the Storm, and been provided with Water and other Necessaries to continue their Voyage, the Troops under the Command of the Earl *Rivers*, which had been set on Shore, (in order to give them some Refreshment, after they had been so long on Board) were reimbarc'd, and design'd to sail the second of *January*, N. S. for *Alicant*, according to the Desire of the King of *Spain*; but the night before, the General received Orders from *England* to the contrary. Hereupon his Excellency held a Council of War, wherein it was resolv'd that he should present a Memorial to the new King, to acquaint him with the conditional Orders he had received. His Excellency had accordingly Audience the 4th of his *Portuguese Majesty*, who receiv'd him with all possible Marks of Esteem; and delivered his Memorial, containing the Conditions upon which he was order'd to land, which were in Substance as follows:

i. That

1. That the King should give him positive Assurances, that the *Portuguese* Troops in *Valencia* should be recruited to 19 Battalions, each of 600 effective Men, the Cavalry remounted, and that the said Recruits and other Necessaries, to enable those Troops to take the Field, shou'd be immediately sent away. 2. That the Subsidies paid by *England* to the new and *Holland*, for the Pay of 12000 Men, which they were obliged to maintain by the Treaty, might be remitted directly to *Valencia*, or where-soever that Army was, in order that those Troops be punctually paid out of it, by the Orders of the Commander in Chief of Her Majesty's Forces. 3. That if his *Portuguese* Majesty could not provide Ships to transport the said Recruits, his Excellency would take Care to send them aboard *English* Ships, his Majesty paying the Charges, and finding Provisions, or paying for them. 4. That the late King having propos'd by his Envoy, and the Marquis de *Montandre* in *England*, to join 10000 Foot, and between 2 and 3000 Horse to the Troops under the Command of the Earl Rivers, to march directly to *Madrid*, his Excellency desired a particular Assurance from his present Majesty, that the same should be perform'd; as also to know what Measures were already taken for that purpose, what likelihood there was that a Body of that number should be ready to march at the Time appointed towards *Madrid*. 5. His Excellency declared, that he had Orders to agree before-hand, and concert with the King all things relating to the Artillery, Baggage and Provisions, and expected that his Majesty should furnish every thing for that Service, according to the Treaty relating to the first Forces that were sent from *England*; and that the Troops under his Command might be furnish'd with Provisions for themselves, and Forrage for their Horses at their own Charge, but at the same Price as the King's Troops. 6. And that as to the Point of Command, which had been liable to so many Inconveniencies, he would not be commanded by any Body, but his Majesty alone. His Excellency desired in the Conclusion, his *Portuguese* Majesty to let him have an Answer to all these Points in 4 Days, that he might take his Measures accordingly, and that, in the mean time,

The Earl of Rivers's

Memorial

King of

Portugal.

the

A. C. 'the necessary Provisions of Straw and Barley for his  
1706. 'Horses might be continued. The Court of Portugal

being either unable, or unwilling to comply with these Demands, the Confederate Fleet, with the Land-Forces on Board, sailed the 18th of January, N. S. from Lisbon for Alicant, where they arrived the 8th of the next Month, after having met with several Disappointments by bad Weather. It is to be observed, That in his Passage Sir Cloudesty Shovel left Watkins's Regiment in Gibraltar, but instead of it, he took up there, and landed at Alicant, the English Regiment of Colonel Caulfield, and a Dutch Battalion; besides a Regiment of Castilians and Catalans that had been taken on-Board in Portugal.

The Confederate Fleet and Land-Forces arrive at Alicant, Feb. 8. 1707. N. S.

Sir Cloudesty Shovel returns to Lisbon. The English Admiral, some days after, sailed for Lisbon, where he arrived the 20th of March, 1707. N. S. And as for the Earl of Rivers, whether his Commission did determine in Spain, or whether he was unwilling, either to serve under the Earl of Galway, or to share with him the Command of an Army so ill provided, as he found the Confederate Forces in Spain to be; his Lordship sail'd again for England, accompanied by the Earl of Essex, and Brigadier Gorges, and arrived in London on the 29th of April, 1707. O. S.

Affairs of Germany.

The Duke of Marlborough Invested in the Principality of Mindelheim.

Let us conclude the Annual Account of Foreign Affairs, with a short Survey of those of Germany. The Emperor having in November last, erected the County of Mindelheim into a Principality of the Empire, and conferred the same on the Duke of Marlborough; and her Majesty having been pleased to allow Mr. Stepney, her Envoy Extraordinary, and Plenipotentiary at the Imperial Court, to take Possession thereof in his Highness's Name, the Ceremony was perform'd there in the Town-Hall, on the 24th of May, N. S. and the next day by the Officers, Magistrates, Burghers, and other Subjects of that Principality, to whom Count Konigseg, one of the Emperor's Privy Council, and his first Commissioner for this Act, declared, That his Imperial Majesty had transferred on the Duke, in consideration of his important Services, all his Right to the said Principality; in Testimony whereof, a Secretary of the Feudal Court read the *Lehn-Brieff*, or Letter of Investiture, and then a Patent, whereby the said Officers and Subjects were first discharg'd from

from the Obedience and Vassallage which they swore a year before to his Imperial Majesty, upon the Death of *Maximilian*, late Duke of *Bavaria*, and afterwards were directed to take a new Oath of Homage to the Duke of *Marlborough*, as Prince of *Mindelheim*, which was administer'd to them accordingly, by Mr. *Stepney's* Order, in the Presence of Count *Konigsseg*, and two other Imperial Commissioners, Baron *Volmar* and Baron *Imhoff*, who had lately the joint Administration of that Country. The whole Ceremony was perform'd with a great deal of Decency; and the People in general gave all demonstrations of their Satisfaction, in being under his Highness's Protection. Some time before, the Emperor sent a Decree to the Diet of the Empire, importing, 'That having thought fit to create the Duke of *Marlborough*, a Prince of the Empire, in consideration of his Eminent Services, he had erected the County of *Mindelheim* into a Principality, and given the same to that Prince to qualify him to Sit and Vote in the College of Princes of the Empire, and that therefore his Majesty recommended them to admit his Plenipotentiary thereinto, without any delay, that the said Prince might be encourag'd more and more, to continue his Services to *Germany*, and the Common Cause.

The unhappy Continuance of the Troubles of *Hungary*, and of the Distractions of *Poland*, together with some reviving Embers of Rebellion in *Bavaria*, seem'd to afford a favourable Opportunity to the *French* to invade *Germany*, for which purpose, they assembled early, a numerous Army under the *Marschals de Villars* and *Marcin*. Upon notice of their taking the Field, Prince *Lewis* of *Baden* set out the 29th of *April*, from *Radstat*, for *Haguenau*, and the next Morning his Parties brought him word, That the two *Marschals* being join'd, designed to fall upon him with 92 Battalions and 150 Squadrons. That Prince, who had not one third part of the Number of Troops to oppose them, thought fit immediately to retire, which he did in very good Order, tho' the *French* did whatever they could to overtake him. He left a Garrison in *Haguenau*, and another in *Drusenheim*, but abandon'd *Bischweiler*, and all the other Posts in *Alsace*, and posted his little Army in the

A. C.

1706.

Hague-  
nau taken.

May 12.

N. S.

Prince  
Lewis of  
Baden dis-  
abled from  
under a-  
king any  
Thing.

His Death,  
Jan. 4.  
N. S.  
1707.

the Lines of *Stollhoffen*, on the other side of the *Rhine*. The *French* marched to attack *Drusenheim*, and the Governor seem'd resolv'd to defend the Place to the last Extremity; but this was only to give time for putting a Reinforcement into *Landau*, and as soon as he had Notice that it was done, he retired over the *Rhine* in the Night, and broke down the Bridge. The *French* besieged *Haguenau* (whose Garrison to the number 1400 Men, besides 800 sick, surrendred Prisoners of War, on the 12th of May, N. S.) reliev'd *Fort Lewis*: and so, by their Activity, and the fatal slowness of the *German*s recovered in a Day all they had lost the former Campaign, on that Side. The *Mareschal de Marcin* having assisted in that Expedition, return'd towards the *Mozelle*, and march'd afterwards to the *Netherlands*: And as for *Mareschal de Villars*, he made no other Exploit, than the possessing himself of the Intrenchments of *Lauterburg*, and casting up Lines to block up *Landau*, and secure the Passes of the *Rhine*. He was, indeed, preparing every thing for the further Prosecution of his great Designs, but the unexpected News of the entire Defeat of the *French* Army in the *Low-Countries*, and the Orders he receiv'd to send a strong Detachment thither, put a stop to all his Projects; and oblig'd him to quit several Posts about *Landau*, and retire to *Haguenau*. This seem'd to give fair play to *Prince Lewis* of *Baden* to attempt the Regaining the Posts he was forc'd to quit upon the sudden Approach of a Superior Enemy; but his Army was so weakned, by the Detachment of four of his best Regiments which the Emperor sent from the *Rhine* to *Hungary*, and which *England* and *Holland* did, in vain, endeavour to have recall'd from thence, that he was oblig'd to sit quiet, and to deplore his Condition, with this Reflection, *That as Affairs were, at this Time, managed, the greatest Misfortune that could befall a Man of Honour was to command an Imperial Army.* These Melancholy Thoughts, together with the undeserved Reproach he was sensible he lay under, of Favouring *France*, enclined him to retire to the Bath of *Slangenbad*; and, in all Probability, did not a little contribute to the lingering Sickness of which he died at *Redstat* on the 4th of *January* 1707. N. S. He was born at *Paris*, on the 8th of *April* 1655. and was

Chri-

christened *Lewis* by the Name of the *French King*, who stood his God-Father; which, undoubtedly gave Birth to the false Imputation of his being in that Monarch's Interest. His great Actions, against the *Turks*, rais'd him to the first Military Dignity of the Empire, being General-Lieutenant to the Emperor, which is so high a Dignity, that those who are possess'd thereof pretend, That they are to obey no Body but the Emperor; and Prince *Lewis* would not yield to the King of the *Romans* himself, till he had a particular Commission from the Emperor to represent his Person. That Prince enjoy'd, for several Years, the Reputation of a Great General, but his Disputes with the Council of War at *Vienna* contributed very much to sink his Fame: For that Council cross'd all his Projects, and did not supply him with what was requisite to put them in Execution. And then Prince *Eugene*, and soon after the Duke of *Marlborough* appearing in the Martial Field with greater Lustre, all the World turn'd their Eyes upon those Two Heroes, and so Prince *Lewis* was little regarded: Tho' after his Death, all impartial Men did him the Justice to acknowledge, that he was inferior to none of his Contemporaries in Military Skill.

'Twas very happy for *Germany*, that the Slowness and Weakness of its Efforts on the *Rhine* was made up by the Victories of the Allies every where else; But 'twas a great Misfortune, that the Peace of *Hungary*, which was thought so near a Conclusion, met with the same Obstacles that were formerly in its way, and which baffled the Care and Application both of the Ordinary and Extraordinary Ministers from *England* and *Holland*, sent to *Vienna* to mediate that long-wish'd for Accommodation. The Cessation of Arms agreed on between the Imperialists and *Hungarians*, and afterwards continued to the 12th of *July*, N. S. was religiously observ'd; the Mediators improv'd that time to remove many Difficulties; and tho' on the other Hand, the *French* Court left no Stone unturn'd, to prevent the Pacification of those Troubles, yet 'twas hoped that the News of the great Victory obtain'd by the Duke of *Marlborough* in the *Netherlands*, and the Raising of the Siege of *Barcelona*, would have had a favourable Influence on

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1706.

*Demands  
of the Male-  
contents.*

*\* Namely  
the King of  
Sweden,  
and Prus-  
sia, and  
the Repub-  
licks of Ve-  
nice and  
Poland.*

on that Affair: The rather, because Prince *Ragotzi*, the Head of the Malecontents appear'd well inclin'd to an Accommodation. That Prince's Confort having obtain'd Leave of the Emperor, to go to her Husband in *Hungary*, seem'd likewise to be a good Omen; but the Hopes of Peace, on that side, were soon blasted by the Stiffness of the Imperial Court. On the 6th of *June*, N. S. Mr. *Stepney*, the Queen of *Great Britain's* Envoy Extraordinary, and the Count *de Rechteren*, who had the same Character from the States General, went from *Tirnav* to *Newhausel*, where they had a Conference with Prince *Ragotzi*, and the other Chief of the Malecontents, who had been there assembled ever since the 20th of *May*; and prevail'd with them to deliver their Demands in Writing. Accordingly a Week after, the Malecontents sent their Deputies to *Tirnav*, where they deliver'd their Demands to the Mediators, which contain'd in substance:

1. That there be a sufficient \* Guaranty agreed upon on both sides, for the Performance of the Treaty.
2. That the Principality of *Transilvania* be yielded to Prince *Ragotzi* and his Posterity for ever, without any Dependance on *Hungary*.
3. That the Resolutions of the Diets of *Presburgh* and *Oedenburgh* be vacated.
4. That all Foreign Troops be order'd out of the Kingdom.
5. That the Palatine and other Magistrates be restored to all the Ancient Prerogatives of their Respective Dignities.
6. That an independent General be establish'd.
7. That the Chamber and the *Royal Fiscal* be Suppressed, and a Treasurer establish'd instead thereof.
8. That the Crown of *Hungary*, and the other Regalia, be kept as formerly at *Muram*.
9. That the Affairs of the Chancery be amended, and set on a good Foot.
10. That all Places be given only to *Hungarians*.
11. That the Affairs of Religion be restored on the Ancient Foot.
12. That Jesuits be Banished the Kingdom.
13. That good Regulations for the Speedy and Impartial Administration of Justice be agreed upon.
14. That such, who have been unjustly depriv'd of their Estates be restored thereunto.
15. That the Demefnes of the Crown be not alienated to the Prejudice of the Kingdom.
16. That Copper Money be



' be cry'd down. 17. That no Peace or War be  
' concluded without the Consent of the Palatine of  
' the Kingdom. 18. That a General Indemnity be  
' given to the Hungarian Nation, without any Ex-  
' ception. 19. That a Particular Satisfaction be  
' given to Prince Ragotzi and Count Berezini.  
' 20 and 21. That the Priviledges of the Nobility,  
' and the Limits of the Kingdom be regulated.  
' 22. That the Laws and Liberties of the Kingdom  
' be Re established. 23. That all the Articles afore-  
' said be Ratified and Executed.

Upon the Receipt of these Demands, the Mini-  
sters Mediators repair'd to *Presburg*, where they pre-  
sented the same to the Prince of *Lorrain*, Bishop of  
*Osnabrug*, the Emperor's first Commissioner, who sent  
them by an Express to *Vienna*. His Imperial Ma-  
jesty, and his Council, having consider'd those De-  
mands, return'd an Answer to his Commissioners at  
*Presburg* the 28th; which Answer was immediately  
deliver'd to the Ministers Mediators, who set out the  
same Night for *Tirnav*, being accompanied by Count  
*Wratisslaw*, one of the Imperial Commissioners, who  
the next Day (*June 29. N. S.*) had a Conference there  
with Count *Berezini*, and on the 30th made a Visit  
to Pr. *Ragotzi* at *Newhausel*. The Terms which the  
Emperor offer'd to grant to the Malecontents, came  
short of being satisfactory: For whereas the Demands  
of the Hungarians, imply'd, That all their Privileges  
were violated; the Answer of the Imperialists on the  
contrary, supposed no such Violation, but only de-  
clared that if there was any such thing, it should be  
remedied in a future Diet. Notwithstanding the  
Mediators were very sensible that the two Parties  
were not so sincerely inclin'd to Peace as they could  
have wish'd, they continued their good Offices  
with all possible Care and Industry, and endeavour'd  
to convince both Parties of the Necessity of putting  
an end to those Troubles, which, if continued, could  
not but ruin entirely Hungary, and end in the Ex-  
tirpation of the Christian Religion in that Country.  
Their Reasons had some apparent Effect upon them,  
since, the Imperial Court granted some of the De-  
mands of the Hungarians, and the latter receded  
from some of the Articles they had insisted upon.  
This and the Prolongation of the Truce, to the 24th

The Empe-  
ror's Answer  
proves un-  
satisfactory

The Negoti-  
ation for  
the Accom-  
modation of  
the Troubles  
in Hunga-  
ry, breaks  
off without  
Success.

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of July, made People expect a sudden Pacification; but contrary to their Expectations, the Conferences broke off, and the Mediators could not obtain a further Prolongation of the Suspension of Arms. Those Ministers waited on Prince Ragotzi at *Schintz*, and took their leave of that Prince, and the Deputies of the *Hungarians*, who deliver'd to them two Letters, one to the Queen of *Great Britain*, and another for the States-General, wherein they return'd their hearty Thanks to Her Majesty, and their High Mightinesses, for their generous Interposition in Favour of their Nation, and assur'd them, that they were very sorry that their Mediation should have been frustrated by the Artifices of some, who having fomented these Troubles, were altogether against Peace, being resolv'd to see the Ruin of *Hungary*.

Prince Ragotzi's Letter to the States General was as follows.

Prince Ra-  
gotzi's  
Letter to  
the States  
General.

High and Mighty Lords,

THE generous Sentiments which have prompted your High Mightinesses to endeavour to procure a happy Peace for the *Hungarian* Nation, having wrought in us a just Acknowledgment, I joyfully embrace this Occasion gratefully to render your High Mightinesses my own most humble Thanks, and with them those of the Confederated Estates, of whom I am the Leader and Chief. 'Tis certain, that the sole Aim, which I and the *Hungarian* Nation propos'd to our selves, namely to recover our just and reasonable Liberty, founded on the Laws of the Kingdom, by taking Arms against those who had long sought to oppress us under the Yoke of Arbitrary Power, could never be more powerfully seconded, than by the Mediation of your High Mightinesses, and of Her Majesty the Queen of *Great Britain*: Because no Government in the World better knows the Value of Liberty than your High Mightinesses, who have, at all Times, made Use of the Force God has put into your Hands, to maintain it.

We flatter'd our selves with pleasing Hopes, that a speedy and lasting Peace would be the Issue of that Mediation, having to do with a Prince, who as for his own Person, was not the Author of our past

past Calamities; who has given us no less frequent Assurances of his Affection than of his sincere Desire of Peace, and who has so great Obligations to your High Mightinesses, and Her Majesty the Queen of Great Britain, that we had Ground to believe he could refuse you nothing.

These Considerations had so thoroughly rooted out of our Hearts all Distrust, and produc'd in us so perfect a Disposition to facilitate the Negotiation of Peace, under an auspicious Mediation which we esteem'd our greatest Happiness, that we thought it impossible the Treaty should not be carried on to a happy Issue.

But I find my self constrain'd to acquaint your High Mightinesses, with too real Grief, that hardly had we begun to treat, when we perceiv'd that the adverse Party pretended rather to prescribe us hard Laws, than agree with us on Conditions that might be deem'd equitable on both sides. For his Imperial Majesty having return'd an Answer to our Propositions, in which he referr'd almost all the essential Points to a Diet, we had no Time allow'd us to make a Reply; but as if the Peace was to be founded on our Despair, not on our Confidence in the Emperor, and our willing Compliance, the Imperial Court has forc'd us to betake our selves again to Arms, refusing to grant the least Prolongation of the Armistice beyond the 24th of July, notwithstanding all the Instances made to them to that purpose by the Ministers of your High Mightinesses, and of the Queen of Great Britain, whose Endeavours we cannot sufficiently commend, and of whose Equity we are so fully perswaded, that we dare trust the Faithful Report they will make to your High Mightinesses, and Her Majesty, will shew, that the true Causes of the unhappy Rupture of the Treaty, were the violent Councils of some of the Emperor's Ministers, whose Sincerity and Maxims are thereby become more suspected to us than ever.

We think our selves happy that we can alledge the just Grounds of our Complaints to Potentates, whose Virtues make them deservedly admir'd by the whole Universe; and if our Arms have occasion'd some Diversion of those of your High

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' Mightinesses, and of the Queen of Great Britain,  
' 'tis our much harder Lot to be expos'd to the fatal  
' Effects to us of the Victorious Arms of Potentates,  
' whose Power and Valour we revere as much as  
' we prize their Mediation, since their Conquests  
' encrease the Pride of our Enemies, and contribute  
' to our Oppression, by drawing upon us Troops  
' from Bavaria and the Empire.

' But we put our Confidence in God, and in the  
' Justice of our Cause, which has no other Prospect  
' than the maintaining of the most sacred Laws of  
' the Kingdom. I cannot without extream Regret  
' resolve to have recourse to Means, that will engage  
' me anew to spill the Blood of my Fellow Country-  
' men, after having endeavour'd with so much Sin-  
' cerity, and at the Expence even of my Dignity, to  
' second the generous Intentions of your High Migh-  
' tinesses; though the Infractions of our Laws, the  
' Violences done to our Persons and Liberties, the  
' Floods of Innocent Blood shed, under the Reign  
' of the late Emperor, which have been set forth in  
' all their Horrour in my Manifestoes, and the Con-  
' tempt that is still had at this very Time for our  
' most sincere Wishes for Peace, are a sufficient Ju-  
' stification of our Arms, to all those who have any  
' Sense of Honour and Equity. And as your High  
' Mightinesses cannot but be touch'd with our Mis-  
' fortunes, we beseech you to grant us your power-  
' ful Assistance; and to interpose more effectual good  
' Offices than your former, to procure Peace for a  
' Nation so unjustly distress'd, which recommends  
' it self to the Continuance of your Favour, and begs  
' you not to abandon him, who is with all due Sen-  
' timents of Respect, &c.

*Your High Mightinesses*

Neuhauzel,  
July 28. 1706.

*most obliged, most obedient,  
and most devoted Servant,*

The Prince RAGOTZI, Prince  
of Transylvania.

Upon the Breaking off of the Negotiation, and  
the Expiration of the Truce, the War was renew'd  
in that unhappy Country, with greater Vigour:  
And

And Mr. Stepney, Count *Rechteren*, and Mr. Hamel *A. C.*  
*Bruyninx*, being return'd to *Vienna*, had on the 1st  
 of *August*, N. S. an Audience of the Emperor, where-  
 in the first, in the Name of all, made the following  
 Speech to his Imperial Majesty: *1706.*

Mr. Step-  
 ney's

Speech to  
 the Empe-  
 ror, *Aug. i.*  
 N. S.

S I R,

WE think it our Duty to give your Imperial  
 Majesty a succinct Account, by what  
 Means the Negotiation that was committed to us  
 came to have no Effect.

We have on several Occasions represented to the  
 Imperial Commissioners, and at last to your Ma-  
 jesty your self, that a Prolongation of the Armistice,  
 [Cessation of Arms] was absolutely necessary for dis-  
 posing the *Transilvanians* to recede from their Pre-  
 tensions, and for carrying on the Negotiation to a  
 happy Issue: But your Imperial Majesty having  
 been pleas'd to signify positively to us, that you  
 would admit of no Expedient in Regard to *Tran-*  
*silvania*, but would have the Government of that  
 Province remain on the same Foot it was at the  
 Time of the Peace of *Carlowitz*; and that without  
 ruining your Army in *Transilvania*, and losing the  
 Benefit of this Campaign, your Majesty could by  
 no Means consent to a Prolongation of the Armi-  
 stice; nothing remain'd for us to do, but to deliver  
 that double Negative to the *Hungarians*, as your  
 Imperial Majesty's last Resolution; whereupon  
 they declar'd they were extremely sorry to see the  
 Negotiation broken off in that Manner, when it  
 was in so hopeful a Way.

We are in Conscience and Honour oblig'd to tell  
 your Majesty, that we never saw so favourable a  
 Conjuncture for Peace, as at the Time when we  
 were oblig'd to come to that Extremity.

*Ragotzi*, for his own part, had consented, that no  
 more mention should be made of him with regard  
 to the Principality of *Transilvania*; and was going  
 to call a Diet of the Estates of *Hungary* to meet at  
*Selzchin*, having actually sign'd the Writs for that  
 purpose, to try whether Means could be found to  
 dissolve the Confederacy of the *Hungarians* with  
 the *Transilvanians*, and to prevail with the latter,  
 upon certain moderate Conditions, to submit to

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the Regency which your Majesty has resolv'd to establish in their Country: But the convening of this Diet requiring Time, that Project fell to the Ground. Notwithstanding which, *Ragotzi* has express'd all possible Veneration for your Majesty's sacred Person, and great Regret to be again oblig'd to have Recourse to Arms.

So likewise Count *Berezini* has shewn extreme Concern at this Rupture; for of late he carried himself in such a Manner, as shew'd he earnestly wish'd for Peace.

Also the Deputies of the *Hungarians*, with whom we us'd to treat at *Tirnav*, could not refrain from Tears, in expressing their deep Sorrow to see us part from them *re infecta*.

By this Recital, which I have the Honour to make to your Majesty, you will judge, that the Chiefs, and the Nation, were all in the best Disposition that could be desir'd for an Agreement. We dare even assure your Imperial Majesty, that for no long Prolongation of the Armistice, and some moderate Expedients, your Imperial Majesty would have had the Kingdom of *Hungary* and Principality of *Transilvania*, with greater Ease, and with more ample Authority, than ever they were possess'd by any of your Ancestors.

But, Sir, the Representations of your Generals and Ministers, have depriv'd us of the Honour of serving your Majesty in the happy Conclusion of this important Affair; and we can now only offer our Wishes that your Majesty's Arms may be more successful than our Endeavours have been; most humbly beseeching your Majesty to believe, that we, for our Parts, have with the utmost Zeal us'd our best Efforts to promote the Interest of your Imperial Majesty, and that, on all Occasions, we will continue to do the like, hoping thereby to merit the Continuance of your Majesty's Favour, to which we do in the humblest Manner recommend our selves.

Some time after, Mr. *Stepney*, and Count *Rechten* left *Vienna*, the first, as was mention'd before, being appointed to reside at the *Hague*, with the same Character he bore at the Imperial Court.

IF

If the Publick was disappointed in their Hopes of an Accommodation in *Hungary*, they were still more surpriz'd at a Treaty of Peace, which, on a sudden, seem'd to put an end to the long, obstinate and Bloody War that distracted *Poland*, and which may well be reckon'd as one of the most wonderful Events of this Year. The Crowning of King *Stanislaus*, which had been attended with a Treaty between that Prince and the King of *Sweden*, had oblig'd King *Augustus* to return from *Saxony* to *Poland*, to make a stricter Alliance with the *Czar*; but the Army, which was to follow him from *Saxony*, was scarce arriv'd near *Frawstadt* in *February*, but it was defeated by the *Swedish* General *Renschild*. 'Twas then the general Opinion, that the King of *Sweden* would not give him time to repair that loss by the *Muscovite* Succours, and that he would pursue 'em closely, in order to make him abandon *Poland* and *Lithuania*; but it since appear'd, that he had another Design in view, the better to compass his Ends. The Campaign there, was spent on both sides in Marches and Counter-Marches, and in exacting Contributions; after which, the King of *Sweden*, having reinforc'd his Army, and left two Bodies in *Poland*, march'd suddenly into *Saxony* in *September*, and thereby hinder'd King *Augustus* from receiving any Supplies from his own Dominions. The Affairs of the latter were in this desperate Condition, when another Event, no less unexpected, seem'd to buoy up the sinking Spirits and Hopes of his Party, by the Victory he gain'd at *Kalish* the 20th of *October*, N. S. over General *Mardefelt*, and the Palatine of *Kiovia*. But the News of this Battle was scarce made Publick, when the Scene was shifted again by a Peace, still more surprizing than all the rest, since it \* appears it was signed the 24th of *September*, above a Month before the Winning of the Battle; which, however, occasion'd no Alteration in the † Articles of the Treaty. The true Motives of that Pacification, are still a Mystery: But if, (as 'tis very probable, and the fairest Colour that can be put up on the Matter) King *Augustus* condescended to those Dishonourable Terms, and consented to abandon his constant Ally, the *Czar* of *Muscovy*, out of a tender Regard for his Hereditary Dominions; 'tis certain,

*Treaty of*

*Peace be-*

*tween the*

*King of*

*Sweden,*

*King Au-*

*gustus,*

*and King*

*Stanislaus.*

*† See the*

*Appendix,*

*pag. 98.*

A. C. he was miserably disappointed; since they suffer'd as much after the Peace, as they could have done by the continuance of the War: The King of Sweden

*The K. of Sweden raises Contributions and Recruits.* exacting still heavy Contributions from them with the utmost Severity. His Swedish Majesty's marching into the Electorate of Saxony, giving just Ground of Jealousie to the Allies, Dr. Robinson, and the Heer Haerfolet, Envoys from her Britannick Majesty, and the States General, in Poland, were order'd to attend that Monarch, and observe his Motions: But before their Departure from Dantzick, they sent him the following Letter:

SIR,

*The English and Dutch Ministers Letter to the King of Sweden.*

HER Sacred Majesty of Great Britain, and their High and Mightinesses the States General of the United Provinces, have frequently declared to your Majesty their Sentiments and good Wishes for preserving the Tranquility of the Empire, particularly that Part thereof which lyes next to Poland; and your Majesty's Answers to their Representations were such as gave them a Prospect of your Majesty's Compliance with their Request, and of your having such Views for the Good of the Common Cause, as to join your Forces to those of the Allies, who fight for the Tranquility of Europe; or, at least, to do nothing which may interrupt any further Opportunities of their acting with Glory and Success against the Common Enemy, till an Equitable and Lasting Peace shall be concluded, on such Terms as shall disable France from violating it hereafter with Impunity, if the Course of that great good Fortune, which has hitherto attended the Arms of the Allies, in bridling the Disturber of Mankind, be not diverted; since, next to God's Glory, they wish for nothing more than that every one may be preserv'd in the possession of his own Right as they think necessary for themselves, so they believe it cannot prejudice Sweden, since it is too evident that France aims at nothing less than to disturb all the Princes and States equally; so that if they be not all secured, they must all be Slaves. Several Rumours have been spread abroad; which tho' they are not credited in England and Holland, yet being some-  
what



' what perplexing, We have sent to pray your Ma- A. C.  
' jesty not to touch the Empire with your Arms, 1706.  
' nor engage in any Course, which may endanger  
' your Friends, Allies, and all Europe, which God  
' Almighty prevent.

J. Robinson, J. V. Haerfolet.

To this Letter the King of Sweden return'd An-  
swer, ' That he had no Design by this Invasion of *The King*  
' Saxony, to undertake any thing to the Prejudice of *Sweden*  
' his Friends and Allies; but being provoked by an *un-just*  
' unjust War to do what the Law of Nations allows, *Sweden*  
' he ought long since to have removed the Seat of the  
' War to that Electorate, where it had its Source,  
' and had been supported so many Years, but that  
' he forbore doing it at the Intercession of the Allies,  
' and would not make use of his Right as long as he  
' had any Prospect of Curbing an Obstinate Enemy;  
' but since his Affairs would not suffer him to be  
' amused any longer, and that he could not per-  
' mit the Enemy to repair his Strength, so often  
' broke to no Purpose, there was a Necessity of  
' Attacking the Fountain from whence so many  
' Evils had sprung; hoping that the Allies would  
' have no cause to complain, if by this Expedition  
' their Successes should be interrupted; since it was  
' very apparent that Saxony had done so much Mis-  
' chief, and would do more if not prevented, &c.

This Answer being unsatisfactory, and the Sus-  
picion of the Allies still encreasing upon the King  
of Sweden's Raising great Numbers of Men through-  
out the Empire, and his admitting to his Audience  
the French King's and the Duke of Bavaria's Minis-  
ters, the English and Dutch were directed to desire  
his Swedish Majesty, to declare his true Intentions. *He refuses*  
But that reserv'd Prince still put them off with *so open*  
dubious Answers, and refused to open himself to *himself*  
any but the Duke of Marlborough; who waited up- *any but*  
on his Majesty for that purpose, as shall be men- *the Duke of*  
tion'd in our next Volume, if God grant us Life and Marlbo-  
Opportunity to write it. rough.

This Year died the Bishop of Munster, a Prince who  
was ever well affected to the Common Cause, and *The Bishop*  
enclin'd to entertain a good Correspondence with his *of Mun-*  
Neighbours. Upon his Death, that elective Sove- *her dies*  
reign'd N. 3.  
May 8.

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Great Con-  
sension be-  
tween the  
Bishops of  
Pader-  
born and  
Osna-  
brug about  
the Bi-  
shoprick of  
Munster.

seignty, which holds a considerable Rank in the Em-  
pire, and the first in the Direction of the Circle  
of *Westphalia*, was hanker'd after by several Persons,  
who having privately muster'd their Interest in the  
Chapter of *Munster*, to no purpose, left the Con-  
tention between the Prince of *Lorrain*, Bishop of  
*Osna-brug*, and the Bishop of *Paderborn*. The Em-  
peror, as became a good Friend and Relation, espou-  
sed the Interest of the first: And the *Dutch*, like  
good Politicians, favour'd the Advancement of  
the latter; who having obtain'd of the Pope a Brief  
of *Eligibility*, the Count of *Eck*, the Emperor's  
Envoy Extraordinary at *Munster*, had secret Orders  
sent him, to give his Imperial Majesty's Ex-  
clusion to the Bishop of *Paderborn*, if it appear'd  
that he might carry the Election. The Negotia-  
tors for the Prince of *Lorrain* finding that the Ca-  
nons of *Munster* would disregard such an *Exclusion*,  
which so visibly tended to overthrow the Freedom  
of Elections, tried all other Means to compass their  
ends. Private Cabals were cunningly carried on.  
Some of the Canons were baited with Gold; others  
allured by Beauty; and earnest Application was  
made at *Rome*, to obtain the Revocation of the Brief  
of *Eligibility*, granted to the Bishop of *Paderborn*;  
upon plausible Suggestions, that he employ'd the  
Interest of Heretical Powers to ascend the Episcopal  
See of *Munster*. The Pope not yielding to their  
Demand, they then solicited a Prorogation of the  
Election for a Month, which they obtain'd, with  
some Difficulty.

On the other hand, the *Dutch*, *Prussian* and *Hano-  
verian* Envoys having made great Interest at *Mun-  
ster* for the Bishop of *Paderborn*, the Baron de *Plet-  
tenberg*, Grand Provost of that Church, with the  
Majority of the Canons, openly declared for that  
Prelate, whereupon the Emperor's Envoy resolved  
to defer no longer the giving in his Imperial Majesty's  
Exclusion.

The very day he design'd to demand Audience of  
the Chapter, in order to put his Project in Execu-  
tion, the Baron of *Ittersum*, the *Dutch* Envoy, re-  
ceiv'd an Express from their High Mightinesses,  
with positive Orders to use his utmost Endeavours  
to divert the Imperial Minister from a step which  
they

they could not but look upon, as an Attempt that tended directly to subvert the Liberty of Elections in all the Chapters of Germany. The States Minister desired the *Prussian, Palatine and Hanoverian* Envoys, to make their utmost Efforts to dispose Count *Eck* to more moderate Sentiments. Those Envoys, who had often publicly express'd their Opinions, that the Exclusion was an odious Proceeding, which their Masters would disallow, went to the Imperial Minister, and made use of the most convincing Reasons, to encline him to alter his Resolution; but without Success. Monsieur *Ittersum* seeing Count *Eck* was inflexible, could do no less, in discharge of his Duty, than to communicate to him the Orders he had receiv'd, which he gave him in Writing; but all this produc'd no alteration in the Count, who desir'd Audience of the Chapter, and gave in the Exclusion in due Form.

So violent, and unjust a Proceeding, extremely surprized the soundest part of the Chapter, and serv'd only to unite more firmly those that had declared for the Bishop of *Paderborn*, who would not have fail'd being chosen three days after, had it not been for an unexpected Accident that interven'd. The 29th of *July*, being the day appointed for the Election, all the Canons repair'd to the Church, and had already perform'd the Religious Duties, when the Ministers of *Lorrain* thought fit to notify to them a Brief from his Holiness, which put off the Election to the next Month.

Altho' the Chapter did thereby receive an Affront the more sensible; in that, neither the Church of *Munster*, nor any other of Germany, was ever before expos'd to so great a Contempt, yet, out of Respect to the Pope, they interrupted Divine Service, proceeded to the Reading of the Pope's Brief, and pursuant to it, put off the Election to the 30th of *August*. The *Lorrain* Party made use of this delay, to obtain a second Prorogation of another Month, which was, at last, granted, but of which they reap'd no Advantage. For, upon the 30th of *August*, notwithstanding the notification of the Pope's second Brief, (by Reason the *Lorrainers* had boasted, that they should obtain as many Prorogations as they should desire;) Nineteen of the Canons of *Munster*, being the Ma-

majority

A. C. jority by four Voices, elected the Bishop of Paderborn.  
1706. The fifteen Canons of the *Osnabrug* Party, not only

*The Bishop of Paderborn chosen by the majority.*

*The Bishop of Osnabrug elected by a lesser number of Canons.*

† See the Appendix, Numb. XVI. pag. 156.

*The Prince Royal of Prussia marries the Electoral Princess of Hanover.*

June 18. N. S.

*The Lord Halifax arrives at Hanover.*  
May 29. O. S.

*His Reception.*

refus'd to go along with the rest into the Choir, but protested against their Proceedings; and on the 30th of September, chose the Bishop of *Osnabrug*. The same day, the Majority of the Chapter renew'd their former Choice, in favour of the Bishop of *Paderborn*: And both Parties did afterwards make their Applications to the Court of *Rome*, to have their respective Elections confirm'd: Which Affair is to this day (*April 20. 1707.*) undecided. In the mean time, it is to be observ'd, that her Majesty of *Great Britain*, did, by † Letter, (dated the 24th of December, 1706.) compliment the Bishop of *Paderborn* upon his Election, and promis'd to maintain him in it, in Conjunction with the States General; and 'twas matter of Wonder to see, that, at this juncture, when the Emperor stood in so great need of *England* and *Holland*, his Imperial Majesty should earnestly employ his Interest at the Court of *Rome*, against a Prelate, whom those two Powers avowedly protected.

About the middle of *June*, a Marriage was agreed on, (and some Months after consummated) between the Prince Royal of *Prussia*, and the Electoral Princess of *Hanover*, which was a new Cement, to strengthen the Protestant Interest in the Empire. Some days before the Conclusion of this Match, the Lord *Hallifax* arrived at *Hanover*, being, as we said before, sent thither her Majesty's Ambassador Extraordinary, with a Compliment to the Elector of that Name, and the Princess *Sophia*, and to present the Acts of Parliament for the Naturalization of that Illustrious House, and for the better Security of the Succession of the Crown in the Protestant Line; as also to present the Ensigns of the most Noble Order of the Garter to the Electoral Prince.

His Lordship was receiv'd, not only with the usual Ceremonies that are paid to a Foreign Minister, but with many extraordinary Marks of Honour. He was welcom'd at *Diepenau* (a Town on the Frontiers of the Elector's Territories) by the Governor of the Place, and afterwards very nobly treated by the Elector's Officers, who had been sent thither for that purpose. The next day, his Lordship was met by Mr. *Wyne*, first Gentleman to the Elector, with

with a Compliment from her Electoral Highness, and found a very splendid Entertainment prepared for him by the Elector's Officers. His Lordship arrived late in the Evening at *Hanover*, and was conducted to a House prepared by the Elector's orders for his Reception. Baron *Grote*, the late Envoy to Sweden, and Mr. *Schults*, Son to the Elector's Envoy in England, acquainted his Lordship, that they had been appointed by the Elector to attend on his Lordship, and do the Honours of his House and Table, during his stay at *Hanover*. The first of them being Gentleman of the Bed-Chamber to the Elector, and the other a Gentleman of the Court. On the day following, his Lordship had his Audiences with the usual Ceremonies, excepting only, that the Elector had ordered 6 of his Coaches instead of 3 (which is the usual number) to attend on his Lordship, and the Drum of the Court Guard to beat as his Lordship passed by. Baron *Gurits*, President of the Chamber, and Grand Marshal, received his Lordship at the head of the Stairs, and thence conducted him to the several Apartments of the Electores, the Elector, the Electoral Prince, and Electoral Princess. There was an extraordinary Appearance of Nobility on this occasion, and Tables prepared for the Ladies that were invited to the Solemnity. The Dinner was serv'd in the same manner, as when a Prince dines with the Elector. The Trumpets and Kettle Drums sounding at their going to Table, and after Dinner his Lordship had his Audience of the Princess, and Prince *Ernest August*. There were other Particulars that distinguished the manner of his Lordships Reception at that Court. Two of the Elector's Pages, and 4 Coaches were appointed to wait on his Lordship, and a Party of the Foot Guards to attend constantly before his House. And it was observable, that the Elector and Electores, with the whole Electoral Family, took all occasions of shewing their entire Satisfaction with the Commission, with which his Lordship was intrusted: And with the choice her Majesty had made of his Lordship, to represent to them her Friendship and Esteem for that illustrious House: And likewise of expressing their Affection for the *English* Nation, with their grateful Acknowledgment for what the Queen and Parli-  
ment

A. C.  
1706.

*The Lord  
Hallifax  
goes to the  
Army, and  
from thence  
to the  
Hague,  
where he  
lays the  
Foundation  
of a stricter  
Alliance  
between  
Great Bri-  
tain and  
Holland.*

ment had done towards securing the Succession of their Family to the Imperial Crown of *Great Britain*. The Ceremony of Investing the Electoral Prince with the Order of the Garter, was perform'd the 13th of *June*, N. S. by Captain *Vanbrug*, *Clarenceux* King of Arms, with the usual Solemnity. Three days after, the King of *Prussia* arrived at *Hanover*, with the Prince Royal; the 17th the Marriage before mention'd was declared at Court, and the next day the Articles of the Contract were exchang'd, according to the Custom of *Germany*. Not many days after, the Prince Royal and the Lord *Hallifax* repaired to the Confederate Army in *Flanders*; from whence his Lordship went to the *Hague*, where he laid the Foundation of a stricter Alliance between *Great Britain* and the *United Provinces*, for the better securing of the *British* Crown to the House of *Hanover*. It is to be observ'd, that before his Lordship set out for that Court, he went to *Amsterdam*, where he receiv'd uncommon Civilities from the Magistrates, and all sorts of People. Among the rest the *Portuguese Jews* invited his Lordship to see their Synagogue (a Curiosity of the City) where they seated his Lordship in a most Honourable Place; and to shew their great respect for him, and their good wishes for the Glory and Success of her Majesty's Arms, they made a Prayer for her Majesty in *Hebrew*, which they afterwards sent in *Latin*, and is in *English* as follows:

*A Prayer  
of the Jews  
at Am-  
sterdam  
for the  
Queen.*

**M**AY He, whose Kingdom is everlasting, who gives Victory and Power to Princes, who preserved *David* his Servant from the Sword of his Enemies, who made his way through the Sea; and stormy Waters, bless, preserve, defend, assist, and exalt to Heaven, her Sacred Royal Majesty, *Ann*, Queen of *Great Britain*. May the merciful King of Kings bless Her, and preserve Her from all Trouble and Peril. May the King of Kings, out of his Mercy, bless Her Armies with Success, and prolong Her Reign. May the King of Kings inspire Her and Her Ministers with Mercy, that they may be kind to us and our Brethren, and that in Her Life, and our time, Salvation may appear to the *Jews*, and that *Israel* may be in Peace upon the coming of

of our Redeemer. Let the will of God be such, A. C.  
and let us all say, Amen.

1706.

Having given our Readers a full View of the Affairs Abroad, 'tis now high Time to entertain them with this Year's further Transactions at Home.

On the 4th of August Baron Schutz, Envoy Extra-ordinary from the Elector of Hanover, had at Wind-Schutz for, a private Audience of her Majesty, wherein he presented a Credential Letter from the Princess Sophia, Electress Dowager of Hanover, pursuant to the Act of Parliament passed the last Session; Entituled, *An Act for the better Security of Her Majesty's Person and Government, and of the Succession to the Crown of England in the Protestant Line*: To which Audience he was introduced by Mr. Secretary Harley. A Week after, the Baron of Spanheim, Minister of State to the King of Prussia, and his Majesty's Ambassador Extraordinary, in which Quality he had resided several Years in the Court of England, had publick Audience of Leave of her Majesty, and of his Royal Highness the Prince of Denmark. Not many days after, his Excellency set out from London, in order to return homewards; but upon Receipt of fresh Orders from his Master, he came back again, and has since resided here with the former Character. 'Twas reported, that the Queen's recalling the Lord Raby, her Ambassador Extraordinary to the Court of Prussia, who was so acceptable to that Monarch, that he was loath to part with him, inclin'd his Prussian Majesty to continue his Minister in England; whereupon her Majesty sent Orders likewise to his Lordship to stay at Berlin.

About the latter end of the foregoing Month, the Vice-Chancellor of the University of Cambridge, having received information, That Mr. Tudway had spoken Words highly reflecting on her Majesty, he convened the Heads of Houses at the Regent House, where Mr. Tudway was cited to appear, which he did; and the Words being positively proved upon Oath, they all unanimously found him guilty, and proceeded to Sentence, which was solemnly pronounced in the presence of the Heads, and entered as an Act by the Publick Register, as follows:

"That

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That Mr. Tudway be suspended of all Degrees taken, and to be taken; That he be depriv'd of his Organist's Place in St. Mary's Church, and of his Professorship of Musick in the University.

Mr. Tudway being of King's College, the Provost depriv'd him of his Organist's place in that College, and the Register there likewise entred his Deprivation; and the Butler and the Pantler took his Name off the Tables in their Offices. The Master of Pembroke-Hall, where he was also Organist, in like manner deprived him of that Office; and the Register there, entred it accordingly: So that he was deprived of all he held in the University of Cambridge.

The Lord  
Walden  
declar'd  
Deputy-  
Marshal of  
England.

About the latter end of August, Her Majesty considering the Quality, Prudence and Abilities of Henry Lord Walden, was pleas'd (under the Privy Signet) to approve of his Lordship, as Deputy to Thomas Duke of Norfolk, Earl-Marshal, and Hereditary Marshal of England, for executing the said Office: his Grace having (at the desire of Henry Earl of Suffolk being Aged and Infirm) substituted the said Lord Walden for that purpose.

The Eng-  
lish Parli-  
ament Pro-  
rogued.

The Queen  
goes to  
Newmar-  
ket.

† Sep. 28.  
Sir Robert  
Beding-  
field cho-  
sen Lord  
Mayor of  
London.

On the 17th of September, the Parliament of England met at Westminster, and was further Prorogued to the 21st of the next Month. The 26th the Queen and Her Royal Consort came to Kensington from Windsor, and on the 2d of October went from thence to Newmarket. Four Days † before, the Common-Hall of the City of London, according to Custom proceeded to the Election of a Lord Mayor, and having return'd Sir Robert Bedingfield, and Sir William Withers to the Court of Aldermen, they unanimously made Choice of Sir Robert Bedingfield, who was accordingly declared Lord Mayor Elect for the Year ensuing.

The Electo-  
ral Prince  
of Hano-  
ver crea-  
ted Duke  
of Cam-  
bridge.

On the 3d of October the Queen and Prince arrived at Newmarket, where Two Days after it was declar'd, That Her Majesty, as a Mark of her particular Esteem and Affection for the most Excellent Princess Sophia, and the most Serene Electoral House of Brunswick, Naturalized and Declared Presumptive Heirs, to the Imperial Crown of these Realms, was pleas'd to sign a Warrant for creating his most Serene Highness George Augustus Electoral Prince of

Hanover



## Queen A N N E's Reign.

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Hanover, a Peer of this Kingdom, by the Stile and Title of Baron of Tewkesbury, Viscount Northallerton, Earl of Milfordhaven, Marquess and Duke of Cambridge. The same † Day Dr. Fisher, Vice-Chancellor of the University of Cambridge, with the Heads of Colleges, and other Members of that University, attended the Queen at Newmarket, and in a most dutiful and loyal Speech welcomed Her Sacred Majesty into those Parts of her Kingdom, *congratulating the repeated unparallel'd Successes of her Majesty's Forces, Her Auspicious Reign, being indeed but one continued Scene of Victories and Triumphs; After which he pray'd for Her Majesty's long Life, that she might enjoy in Her own Sacred Person, as well as ensure to all, the Blessings of Peace, and a lasting Security both in Church and State: Concluding with Assurances of all that steady Loyalty and Obedience the best and most gracious of Queens might justly expect, from Subjects under the utmost Obligations of Duty and Gratitude. To which Her Majesty was pleas'd to return a most Gracious Answer; That she took this Respect of Her University very kindly, and that they might depend upon Her Protection.* After this they waited upon the Prince, and with all imaginable Duty and Respect, in the Name of the University welcomed his Royal Highness, who receiv'd them with particular Marks of Favour and Esteem. They had the Honour of being introduc'd both to Her Majesty, and to his Royal Highness, by his Grace the Duke of Somerset, their Chancellor. And they were afterwards, by Order from her Majesty, splendidly entertain'd by the Board of Green-cloth. A Week after, the Queen and Prince return'd from Newmarket to Windsor.

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† Oct. 5.

*The University of Cambridge wait upon the Queen and Prince.*

*The Queen and Prince*

Oct. 12.

The most important Business that was transacted this Year now bespeaks our Attention: The third of October being appointed for the Meeting of the Parliament of Scotland, his Grace James Duke of Queensberry, her Majesty's High Commissioner, came to the Parliament House, attended by most of the Nobility, Barons and Members of Parliament, where his Grace's Commission was read, and recorded, as usual. After which, her Majesty's Letter to the Parliament was read, as follows.

*The Parliament of Scotland meets*

Oct. 3.

ANNE

*The Queen's  
Letter to  
the Parli-  
ament.*

My Lords and Gentlemen,

Since your last Meeting We did Nominate Commissioners to Treat of an Union between Our two Kingdoms of Scotland and England, and by their great Care and Diligence a Treaty is happily Concluded and laid before Us.

We have Called you together as soon as our Affairs could permit, That the Treaty may be under your Consideration, in pursuance of the Act made in the last Session of our Parliament there; and We Hope the Terms will be acceptable to You.

The Union has been long Desired by both Nations, and We shall Esteem it as the greatest Glory of Our Reign to have it now Perfected, being fully Persuaded; That it must prove the greatest Happiness of Our People.

An intire and perfect Union will be the solid Foundation of lasting Peace; It will secure Your Religion, Liberty and Property, remove the Animisities among Your Selves, and the Jealousies and Differences betwixt Our Two Kingdoms: It must increase Your Strength, Riches, and Trade; and by this Union the whole Island being joined in Affection, and free from all Apprehension of different Interests, will be enabled to Resist all its Enemies, support the Protestant Interest every where, and maintain the Liberties of Europe.

We do, upon this Occasion, Renew the Assurances We have formerly given You, of Our Resolution to maintain the Government of the Church, as by Law Established in Scotland; and the Acts of both Parliaments, upon which this Treaty Proceeded, having Reserved their respective Governments of the Church in each Kingdom, the Commissioners have left that Matter entire; and you have now an Opportunity for doing what may be necessary for Security of Your present Church Government after the Union, within the Limits of Scotland.

The Support of Our Government, and Your Own Safety does Require, That You do make necessary Provision for maintaining the Forces, Ships and Garrisons until the Parliament of GREAT-BRITAIN shall provide for these Ends in the United Kingdom.

*We have made choice of Our Right Trusty, and Right Entirely Beloved Cousin and Counsellor, James Duke of Queensberry, to be our Commissioner, and Represent Our Royal Person, being well satisfied with his Fitness for that Trust, from the Experience We have of his Capacity, Zeal and Fidelity to Our Service, and the Good of his Country; which, as it has determined Us in the Choice, We doubt not, but will make him acceptable to You.*

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*We have fully Instructed him in all things We think may fall under Your Consideration, and seem to be necessary at present: Therefore We desire that You may give entire Trust and Credit to him.*

My Lords and Gentlemen,

*It cannot but be an Encouragement to You, to finish the Union at this Time, that GOD Almighty has Blessed Our Arms; and those of Our Allies with so great Success, which gives Us the nearer Prospect of a happy Peace, and with it, You will have the full Possession of all the Advantages of this Union; and You have no Reason to doubt, but the Parliament of England will do what is necessary on their part, after the Readiness they have shewn to remove what might obstruct the entering on the Treaty. We most earnestly Recommend to You Calmness and Unanimity in this Great and Weighty Affair, That the Union may be brought to a happy Conclusion, being the only effectual Way to secure Your present and future Happiness, and to Disappoint the Designs of Our and Your Enemies, who will, doubtless, on this Occasion, use their utmost Endeavours to Prevent or Delay this Union, which must so much contribute to Our Glory, and the Happiness of Our People; and so We bid You heartily Farewell. Given at Our Court at Windsor-Castle, the Thirty first Day of July 1706, and of Our Reign the Fifth Year.*

By Her Majesty's Command;

MAR.

After the Reading of this Letter, his Grace, the Duke of Queensberry spoke in these Words,

My Lords and Gentlemen,

*HER Majesty, by Her Gracious Letter, has acquainted You, That the Treaty of Union, between the Kingdoms of Scotland and England (pursuant to an*

*The Duke of Queensberry's*  
Act Speech.

Z

A. C. At made in Your last Session ) has been happily Agreed  
 1706. on, which is now in my Lord Register's Hands, ready to  
 be laid before You.

The Lords Commissioners for this Kingdom, have been Diligent and Zealous in concerting Just and Reasonable Terms; and, it must be acknowledg'd, We met with a very Fair and Friendly Disposition in the Lords Commissioners on the other part.

The Treaty has, with all Humility, been presented to the Queen, and was most Graciously Received; and tho' no Reign was ever so truly Great, for Wise and Steady Councils, and so many Important Successes, as that of Her Majesty; yet, You see, She is pleased to Esteem the perfecting of this Union, as the greatest Glory of Her Reign, being the most solid Foundation of a lasting Security to the Protestant Religion, and the Liberties of Europe, and of Peace and Happiness to Her People.

These Reasons, I doubt not, will make the Treaty acceptable to You; And I persuade my self that You will Proceed with such Calmness and Impartiality, as the Weight of the Subject Requires, and as becomes so Great an Assembly.

The Lords Commissioners for both Kingdoms were Limited in the Matter of Church Government; For the Security of Presbyterian Government in this Church, you have the Laws already made for its Establishment, the Queen's Repeated Assurances to preserve it, and I am Impowered to Consent to what may be further necessary after the Union.

Her Majesty has been pleased to Recommend to You to make Provision for the Forces, Ships and Garrisons, which is very necessary, the Subsidies granted at Your last Meeting being run out; so, I doubt not, You will speedily Renew them.

My Lords and Gentlemen,

I am not insensible of the Difficulties that attend the Weighty Character, it has pleased her Majesty to Honour me with, but with Your favourable Assistance, (upon which I very much Rely) I hope, by my Zeal and Fidelity for Her Majesties Service, and the Good of my Country, which are inseparable, to Discharge my Duty on this extraordinary occasion.

The Duke of Queensberry having ended his Speech, James Earl of Seafield, Lord High Chantellor, spoke as follows:

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The Earl of  
Seafield's

My Lords and Gentlemen,

IT hath been, and is the great Happiness of this Nation, That the Queen Our Sovereign, hath always made it the chief Design of Her Reign, to protect her Subjects in the Enjoyment of all their Rights and Privileges, to promote their Good, and to Establish their Peace and Prosperity, upon sure and lasting Foundations.

For these Ends, Her Majesty, in Her most Gracious Letter, doth, with great Earnestness, Recommend to You the Concluding of the Union of the Two Kingdoms, and has plainly and fully laid before you the great Advantages that this Union must bring with it to all BRITAIN, and in particular to this Kingdom.

The Lords Commissioners named by Her Majesty for this Kingdom to treat of this Union, have endeavoured to Discharge this great Trust, with all Fidelity, and have agreed to such Terms and Conditions, as, I hope, shall be found Just, Honourable, and Advantageous: The Treaty has been already Received very graciously by Her Majesty, and is now ready to be Reported to you for your Consideration.

I do not think it proper at this Time, to descend into the particular Articles of the Treaty; I shall only beg leave to say in General, That it must be of great Advantage to have this whole Island Unite under one Government, and Conjoined entirely in Interest and Affection, having Equality of all Rights and Privileges, with a free Communication and Intercourse of Trade, which must certainly Establish Our Security, Augment Our Strength, and Increase Our Trade and Riches.

We can never Expect a more favourable Juncture for Compleating this Union, than at present, when Her Majesty has not only Recommended it, but Declared, That she will Esteem it the greatest Glory of Her Reign to have it Perfected; And when the Parliament of England has shewn Their Inclinations for it; by Removing all these Obstacles that did ly in the way of the Treaty: And it must also be acknowledged that the Lords Commissioners for England did Testify their good Disposition all along in this Affair: And the Great and Glorious Successes wherewith GOD has Blessed Her Majesties Arms, and those of Her

A. C.

1706.



*Allies, give us the Hope of a Near and Advantageous Peace, whereby we will be put in the Possession, and attain to the full Enjoyment of all the Liberties and Privileges of Trade, now Offer'd by the Treaty.*

*The Commissioners of both Sides, have only Treated of such Things as concern the Civil Government, Liberties, Privileges, Trade, and Taxes; but found themselves Limited as to the Church-Government, that being reserved to each Kingdom by the respective Acts of Parliament, upon which the Treaty proceeded; And you have now not only the Laws already made, with Her Majesties most Gracious Repeated Assurances, for maintaining and continuing Presbyterian Church-Government within this Kingdom; But this further Opportunity of making such Conditions and Provisions, as shall be found Necessary for its Security, after the Conclusion of this Union, within the Limits of SCOTLAND.*

*Her Majesty Recommends to You to Provide the necessary Supplies for the Troops, Garrisons and Ships; the Funds formerly given are expired, and therefore I doubt not but you will easily comply with what is so plainly necessary for the Preservation of the Publick Safety, and Preventing the Designs of Enemies now in time of War.*

*My Lords and Gentlemen,*

*Since We have now the Opportunity of Establishing for Our Selves and Our Posterity, by this Union with England, all that concerns Our Religion and Liberties, together with the most valuable Privileges of Trade; I am hopeful that You will Proceed to the Consideration of the Articles of the Treaty, in such manner as shall bring it to the desired Conclusion, and it cannot but tend to the lasting Honour of this Session of Parliament, to have so happily finished this Important and Weighty Matter.*

*The Treaty of Union* These Preliminaries being over, the Treaty of Union was read, and order'd to be printed, together with the Proceedings of the Lords Commissioners of Both Kingdoms, in relation to that matter. *See the Appendix, Num. III.* Then the Parliament was adjourn'd to that Day Seven-night; and the Lord High Commissioner return'd to Her Majesty's Palace of Holy Rood-House, attended, as in his going to the Parliament House, by most of the Nobility, Barons, and Members of Parlia-

Parliament, to whom his Grace gave a splendid Entertainment.

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Before we proceed, we must observe, that Her Majesty's Ministers were not unsensible of the Difficulties they had to encounter in the Affair of the *Union*; against which, the Dukes of *Hamilton* and *Scotland* *Arbhol*, the Marquis of *Annandale*, the Earls of *Errol*, *Marischal* and *Buchan*, the Lord *Beilhaven*, *Andrew Fletcher* of *Saltroun*, and some others, had form'd a powerful Party: And their Opposition was like to be the greater, by Reason they had prepossess'd with Fears and Jealousies, the Minds of many among the *Presbyterian* Clergy; to whose Opinions the Generality of the Laicks in *Scotland*, pay almost as submissive a Deference, as the *Roman* Bigots do to their Priests in *Papist* Countries. Among other Indications of the Temper of the *Scotch* Ministers, at this Critical Juncture, it was taken notice, that some Days before, the Meeting of the Parliament, one of the Duke of *Hamilton's* Chaplains, propos'd, in the General Assembly of the Clergy, 'That before an Affair of so great Importance, as the *Union* was, came to be debated before the Estates of the Kingdom, they ought to enter into an Association for the Preservation of the *Presbyterian* Discipline, and Church-Government, which was visibly in Danger, if the Treaty concluded by the Commissioners of Both Kingdoms, was ratified by the respective Parliaments. Another Minister mov'd, 'That a Day of Fasting and Humiliation should be appointed, to seek the Lord for Counsel in this arduous Affair, and Time of Danger: But the soberer part of the Assembly wisely considering, That the Drift of those two Motions was only to create Fears and Distractions among the People; the same were rejected by the Majority of Voices.

On the 10th of *October*, the Parliament met again, and after some Debate, Sir *Alexander Bruce*, being admitted as Earl of *Kincardin*, Mr. *Fletcher* of *Saltroun* acquainted the House, 'That he was inform'd that the Magistrates of *Edinburgh* had summon'd all the Printers to appear before them, and acquainted them that they would lay a Penalty of 500 Marks upon such as should publish any thing in Print, till it was seen by the said Magistrates, which

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about the  
Union.*

he said, several Gentlemen complain'd of, as the Beginning of an Inquisition, and an Invasion upon the Liberty of the Subject. He was seconded by Duke Hamilton: But the Lord Chancellor protesting that he knew nothing of the Matter; adding, that if there was any such thing the same should be redress'd, the Business went no further; and the Parliament adjourn'd to the 12th, when Mr. Stuart mov'd, that a Day of Fasting and Prayer be set apart for seeking the Direction of the Almighty in the Affair of the Union; and was seconded by the Party, who endeavour'd to spin out Time. They were answer'd, That the Business of the Union was brought so near a Period, that they ought to use no Delays, but rather all imaginable Dispatch, to conclude the same; and that instead of a Fast, they had Reason to appoint a Day of publick Thanksgiving, for the fair Opportunity the Scotch Nation had, of securing their Religion and Liberties, and improving their Fortunes and Estates, by an entire Union with England. The Motion for a Fast being dropt, it was propos'd, That the Articles of Union, agreed on by the Commissioners nominated on behalf of the Kingdoms of Scotland and England, be again read; as also the Minutes of the Proceedings of the said Commissioners: After some Reasonings, it was agreed, That the said Articles of Union should be read, and ordered, that all Records relating to former Treaties betwixt the two Kingdoms, be laid on the Table; and that in the Intervals of Parliament, they might be seen in the Low Parliament House. The Articles of Union being accordingly, read again, it was agreed, that the Parliament should proceed to the Consideration of the said Articles the next Sitting, which was put off till the 15th of the same Month; when it was moved by the Court-party, that according to the last Minutes, the Parliament should now proceed to the Consideration of the Articles of Union. But the Opposite Faction propos'd, that the Members of Parliament might yet be allow'd eight days longer, to consider more deliberately the Articles and Minutes. After some Debate, it was put to the Vote, Proceed presently to the Consideration of the Articles of Union, or continue the Consideration thereof till the first Sitting next Week, and it was carried.



carried Proceed, by the Majority of 116 Voices, against 52. Then the first Article of Union, and the Minutes of the Proceedings of the Commissioners for the Treaty, relating thereto; and her Majesty's Commission to the Commissioners for the Treaty, on behalf of the Kingdom of Scotland, were all read, and after some reasoning thereon, the further Consideration thereof was delay'd till the next Sitting. Upon occasion of the Vote Proceed, being carried, the Duke of *Hamilton*, made some Reflections on the Earl of *Roxburgh*, who was at the Head of a flying Party, that went over to the Court side; saying, 'He was formerly against an Union with *England*, and he wonder'd, he should now alter his Opinion: The Earl of *Roxburgh* replied, 'That formerly he thought the *English* were against the Interest of *Scotland*, but now he was convinc'd of the contrary; particularly by their late Proceedings, in relation to the Union, so that none could blame him, for having a good Opinion of the *English*; And then he enlarg'd upon the Great Advantage, Reasonableness, and even Necessity of the Union, in the present juncture. The Lord *Roxburgh* shew'd the same *The Earl of* same Zeal, and made his pregnant Parts shine, *Roxburgh* throughout the whole Session of this Parliament, *Zealous for* which contributed very much to the happy Conclusion of it. *the Union.*

On the 17th of October, the Parliament proceeded to the further Consideration of the Articles of Union, and the second Article, and the Minutes of the Treaty relating thereto were read: As was also the *English* Act of Parliament made in the first Year of King *William* and Queen *Mary*, Entituled, *An Act declaring the Right and Liberty of the Subject, and for the settling the Succession*, which were discours'd upon. The 4th, 5th, 6th, 7th and 8th Articles, and the Minutes of the Treaty, were likewise read and debated.

Two days \* after, the 9th, 10th, 11th, 12th, 13th and 14th Articles and the Minutes of the Treaty relating thereunto, were all severally read and discours'd on. Then the 15th Article was read, and the Minutes relating thereto, and after reasoning thereupon, there arose a Debate, (about the Calculation

A. C. of the Equivalent contain'd in the said Article )  
 1708. which was adjourn'd to the next Sitting.

Accordingly on the 22d. the Debate concerning the Calculation of the Equivalent of 398085 *l.* 10 *s.* mentioned in the 15th Article of Union was resumed : And after some time spent thereupon, it was agreed to nominate a Committee of three Persons of each State to proceed and examine the said Calculation, and to make their Report to the Parliament. The next Sitting of Parliament was appointed for Nominating the said Committee : After which, several Paragraphs of the said 15th Article were again read, and several Reasons and Discourses made thereon. The 16th and 17th Articles, and the Minutes relating thereto, were also read, and the same reason'd on. The 18th Article, and the Minutes relating thereto, were likewise read, and after some Reasoning thereon, the further Consideration of the said Article was delay'd till the next Sitting. The same day, several Members spoke to the Equivalent and Trade in general, and to that of the *African* Company in Particular. Upon the latter, there were two motions made, one that the Parliament should insist upon a Compensation of all the Losses the *Darien* Company had sustained, since those Losses were occasioned by the undue intermeddling of *England*, as appear'd by former Votes of the Parliament of *Scotland*. The other was, that seeing the Equivalent to be given to the Proprietors of the *African* Company, was not to be paid by *England*, but out of the *Scots* Customs and Excise, that therefore the Property of that Company ought to belong to the Kingdom of *Scotland*, as a National Company, and not be abandon'd until the Nation saw a proper Occasion, and an adequate Price for it : Both which Motions, and others of the like Nature, were laid upon the Table, to be consider'd when the Articles to which they related, came to be debated.

Motions a-  
 bout the *A-*  
*frican*  
*Company*.

The Com-  
 mittee to  
 calculate  
 the E-  
 quivalent na-  
 med.

On the 23d. of *October*, the Parliament named the Committee, to calculate the Equivalent, as follows : For the Nobility, the Marquis of *Montross* Lord President of the Council, Duke of *Argyle*, and Marquis of *Twinedale* ; For the Barons, *Campbel* of *Cesnock*, *Baily* of *Ferriswood*, and *Hadden* of *Glenengies* ; and for the Boroughs, *Robert Inglis*, Lieutenant Colonel *Aroskip*, and

and *Hugh Montgomery*, who were appointed to meet the first Interval day of Parliament at Ten of the Clock; and were to be assisted not only by *Dr. Gregory*, and *Dr. Bower*, but also by *Mr. Paterfon*, a Gentleman of Great Parts, who had taken unusual Pains in Adjusting the Equivalent in *England*. Then the 18th Article of the Union was again read, and it was mov'd, That the *English* Laws, concerning Regulation of Trade, to which *Scotland* by Vertue of the Treaty, was to be liable, as also the *English* Book of Rates, with the Abridgment of the Laws relating thereto, be printed. It was mov'd likewise, That it be referr'd to a Committee of Parliament, to cause to be printed such of the said Laws as they should see just, to be offer'd to the Parliament, and after some Debates thereon, the further consideration was delay'd till next Sitting.

The Party that oppos'd the Union, rightly foreseeing that they should not be able to carry their Point by Dint of Reason and Argument, resolv'd to have Recourse to unjustifiable methods, and by Tumults and Riots to endeavour to deter the Well-affected. In order to that, besides their private Virulent Speeches, a multitude of Malicious and Scandalous Libels against the Union, were printed, and industriously dispers'd, which made many Well-meaning People averse to it; and, by Degrees, workt up to a Height the Natural Inclinations of the Mobile, to Mutiny, Sedition and Riot. They had for some time, levell'd their Malice at *Sir Patrick Johnston*, a very honest upright Gentleman, late Provost of *Edinburgh*, and one of their Representatives in Parliament, for having shewn more than ordinary Zeal in the Conclusion of the Treaty of Union, in which Transaction he was one of the Commissioners on the part of *Scotland*; and on the 23th of *October*, being gather'd in great Numbers, they rudely insulted his House, and offer'd to break his Gates, but were timely prevented by the Magistrates, who sent some of the most active Rioters to Prison. This occasion'd a great Commotion in the City, upon which the Privy-Council was call'd, and the Foot Guards were order'd about 11 at Night to take Post in three Places of the City, where they were to continue till the Parliament took the matter into

Libels against the Union.

Tumults in *Edinburgh* Oct. 23.

A. C. into Consideration, In the mean time, a Proclamation was \* issued out against Tumults, and to put a stop to this malignant Humour yet more effectually, the Lord Chancellor represented, on the 25th, to the Parliament, That he was directed by the Lords of the Privy Council, to acquaint them that upon occasion of the Rabble, that gather'd the 23d. by which several Members of Parliament were insulted; the Privy Council, for Security of the Parliament and Peace of the Town, had brought in a Party of the Foot Guards; and had issued out a Proclamation against such Tumultuary Meetings. Thereupon a Motion was made, That the Privy Council should have the Thanks of the House, for their Care towards the Safety and Quiet of the Parliament, and to recommend to my Lord High Commissioner, and Privy Council to continue their Care thereof, which Motion being read, it was mov'd, that the Proclamation of the Privy Council should be read. The same being read, the Earl of Erroll protested, ' That the bringing in of the Foot Guards, and their keeping of Guard within the Parliament Close and Town, might be without Prejudice of his Right, as High Constable, who had the only Right of keeping the Parliament House without Doors; as the Earl Marshal within Doors, and the Town of Edinburgh's Rights by Vertue of their Charters: which Protestation being read, was adher'd to by the Earl Marshal and several other Members. After some Debate, upon the Motion, a Vote was stated, *Approve or not*, and it was objected, that the Motion consisted of two distinct Articles, the one *Approving what was done by the Privy Council*, and the other, *Recommending to them to continue their Care*; whereupon the Vote was stated, *approve the Motion separately or jointly*, and it was carried *jointly*; after which the Vote was stated, *approve or not*, and it was carried *approve, reserving the Town of Edinburgh's Rights, by Vertue of their Charters*. Altho' no Person of Fashion appear'd among the Rioteers, yet it was no difficult matter to guess from what Corner that boisterous Wind blew; since, at the same time, that they insulted the Well-Wishers to the Union; they very impolitickly affected to attend others with loud Acclamations, as they pass'd thro' the Streets to and from the Parliament-House.

Ou

On the 28th of October, the Parliament proceeded to the Consideration of the Articles of Union, and the 18th being again read, and debated; the 19th 20th and 21st were also read, with the Minutes relating to the same, and the further Consideration of the three last delay'd till the \* next Day; when they \* Oct. 29. were severally examin'd.

The Lord Commissioner having, the same day, recommended the observing a Day of Humiliation and Prayer on the 31st, the Duke of Athol propos'd to the House, That Mr. George Meldrum, and Mr. Hamilton should preach in the Parliament House: But this was warmly oppos'd by the Majority of the House, who alledg'd, That it was the Commissioner's Privilege to appoint who should preach, and where he pleas'd to hear Sermons; whereupon it was resolv'd, That the Commissioner should do as he thought fit. The next Business that fell under the Parliament's Consideration, was the 22d and 23d Articles of the Treaty concerning the Representation of Scotland in the British Parliament: In relation to which, Mr. Fletcher of <sup>Mr. Fletcher</sup> Salton said, That the Treators, in the managing of that <sup>ex reflects</sup> matter, Were Guilty of a Breach of the Trust repos'd in <sup>on the</sup> them by their Constituents. The Earl of Marr took <sup>Scotch</sup> Notice of that Expression, as a Reflection, both on <sup>Commissioner</sup> the Treators, and the House; and was of Opinion, <sup>29. Oct.</sup> That the Words would bear, that they were Betrayers of their Country. Mr. Fletcher said, he could not well deny, but the Words would bear that Meaning; and if he was guilty of any indiscreet Expression, he would beg the Favour of the House. This <sup>For which he begs pardon.</sup> Explanation did but excite the Passion of 100 more against him, who together propos'd the bringing him to the Bar. The Lord Beilhaven would have extenuated his Crime, by offering an Apology for him, but the Gentlemen perceiving that my Lord's good Office serv'd only for an Aggravation, Mr. Fletcher stood up, and having ask'd the Favour of my Lord Chancellor to speak for himself: Said, That if his Expression had any thing offensive in it, he begg'd the House's Favour. Then the Consideration of the Article of Representation being further insisted on, the Duke of Hamilton said, he wonder'd very much, that those noble Persons who had been Treators, did not obtain a further Representation for

## The ANNALS of

for *Scotland*, and more Honour for the Peers, being the *Scotch* Nation was as independent as the *English*; and the *Scotch* Peers as legally created. To this it was answer'd, that there were insuperable Difficulties in that Affair, and that they could obtain no better Terms. The Duke of *Hamilton* urg'd, That he thought the *Scots* being on the same Continent, and the Inconveniencies the *English* were expos'd to from them, furnished the Treaters with Handles to form abundance of Arguments: which occasion'd a profound Silence in the House, for some time; and no Body appearing to make any Reply to this odious Argument, it was thought fit to delay the Business to the next Day.

Besides the stirring up the turbulent Humours of the *Edinburgh* Mobb, the Disaffected thought of another Method to disturb and distract the Proceedings of the Parliament, which was the Procuring, with malicious and eager Industry, Addresses, Petitions and Representations against the Union, from all the Corners of the Kingdom. The first that came upon the Stage, was that of the obscure Town of *Lauder*, which on the same day, that Mr. *Salton* so severely reflected on the *Scotch* Commissioners, was deliver'd to all the Members as they entred the Parliament House, and was as follows:

*Instructions by the Magistrates and Town-Council of the Burgeses of Lauder to their Commissioner in Parliament, in Relation to the Union proposed betwixt the Kingdoms of Scotland and England.*

Petition of  
*Lauder*  
against the  
Union.

AT *Lauder*, the 23d Day of *October*, 1706 Years, on which Day the Bailiffs and Town Council of the Burgeses of *Lauder*, being conven'd in Council within the Talbooth of the Burgh, having receiv'd a Letter directed to them from the Right Honourable Sir *Samuel Mackclessan*, Lord Provost of *Edinburgh*, dated the 15th day of *Octob.* Calling and Indicting a General Convention of the Royal Burroughs to be holden, and Sit at *Edinburgh* upon the 20th day of this Instant *Octob.* and intreating us to send a Commissioner to the said Convention, fully instructed in Relation to the Union proposed betwixt the Kingdoms of *Scotland* and *England*,  
Etc.

' Ec. as the said Letter bears : And the said Letter,  
 ' with the Articles of the said propos'd Union being  
 ' both, *Verbatim*, publickly read in presence of the  
 ' Bailiffs and Council, and hail other Burgesſes, In-  
 ' habitants of the said Burgh, allowed by the Bai-  
 ' liffs and Council in this ſo great Concern, to be  
 ' there preſent, and to give their Opinions ; it was  
 ' unanimouſly agreed to, by the Bailiffs and Council,  
 ' with conſent of their Neighbouring Burgeſſes,  
 ' That Sir *David Cunningham* of *Milncraig*, Knight,  
 ' Bar. and their Commiſſioner and Representative in  
 ' this preſent Parliament, ſhould be their Commiſ-  
 ' ſioner in the aforeſaid General Convention of  
 ' Burghs, in the Terms of their Commiſſion of the  
 ' Date hereof : And being fully convinc'd, that al-  
 ' beit their Commiſſioner for repreſenting them in  
 ' this Current Parliament, be conceiv'd in the moſt  
 ' full and ample Terms imaginable, yet the ſame  
 ' can never impower him to Act or Vote any thing  
 ' which may tend to the Impairing, or Subverting,  
 ' or Altering any manner of way, his Conſtituents,  
 ' Conſtitution, Rights or Privileges, without their  
 ' particular and unanimous Conſent given him for  
 ' that Effect. And having likewiſe ſeriously conſi-  
 ' dered the ſeveral particular Articles of the ſaid  
 ' propos'd Union ; and that they look upon them-  
 ' ſelves as bound in Duty, at this time, to give their  
 ' Opinion in relation to the Union propos'd, do  
 ' therefore unanimouſly give it as their humble Op-  
 ' inion, That the devolving of the Power of the  
 ' *Scots* Parliament, into the hands of a ſmall number  
 ' of Lords, Barons and Burroughs, allowed to Sit,  
 ' and Vote with the Hail Lords and Commons of  
 ' *England*, in a Parliament to be call'd, *The Parlia-*  
 ' *ment of Great Britain*, is diſhonourable and preju-  
 ' dicial to the Kingdom of *Scotland*, tending to the  
 ' Deſtruction of their Ancient Conſtitution, and all  
 ' their Rights and Privileges, as a free People in ge-  
 ' neral, and to every individual Perſon and Society  
 ' within the ſame, eſpecially that of the Burroughs ;  
 ' Therefore, unleſs it ſhall be firſt agreed to in this  
 ' preſent Parliament, or any other before the ſaid  
 ' Union, that the *Scots* Parliament ſhall continue in  
 ' all time hereafter as formerly, and the Laws and  
 ' Subjects of *Scotland*, ſhall be only ſubjected to  
 ' the

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the Wisdom of a *Scots* Parliament, constitute according to the Laws of the said Kingdom, the said Bailies and Council, with Consent of their Burgeses, have impower'd, authoriz'd and requir'd, and hereby impower, authorize and require the said Sir *David Cunningham*, their Commissioner to this present Parliament, for them, and in their Names, and behalf, in open and plain Parliament, by his Vote, to dissent to, and disapprove of all, and every one of the Articles of the said propos'd Union; and, in case the said Sir *David* shall not follow, and obey these our Instructions, We protest, that his Vote in the contrary thereof is null, being not only contrary to his Constituents their Instructions; but likewise tending to the impairing and subverting of their Constitution and Privileges; but in case it shall be first agreed to by this, or any succeeding Parliament, that this, and the succeeding Parliaments shall continue as formerly, we then promise to give him, or any other, our Commission for the time, our particular Instructions, as to the other several Articles of the said propos'd Union. And that this our Opinion and Proceedings may be made known to our Brethren, the other Royal Burroughs, we have ordain'd these Presents to be Published, Printed, and dispers'd amongst them, in Testimony whereof the said Sir *David Cunningham*, his Commission to the Royal Boroughs, and these his Instructions to the Parliament, being Subscribed by the Bailies, in presence of, and at the Command of the Council, are extracted out of the Town-Court Books of the Burgh of *Lauder*, by *Mark Henderson*, Common-Clerk of the same, and the Common Seal of the said Burgh is hereto affix'd,

*Sic Subscribitur,*  
*M. Henderson.*

† Oct. 29.

*Instructions of the Inhabitants of Dumfries to their Representatives in Parliament.*

The same † day, the Barons, Freeholders, and others within the Sherifdom of *Dumfries*, sent the following Instructions to their Commissioners:

*Gentlemen,*

HAVING seen, and consider'd, the Articles of UNION, agreed upon by the Commissioners for the Kingdoms of *Scotland* and *England*,



' We judg'd it proper to impart to you our Resolu-  
 ' tions here anent. We find, That if you give our  
 ' Votes for Ratifying and Confirming the said Arti-  
 ' cles, We must resign, and lose our Crown, Sove-  
 ' reignty, Independency, and our Parliament, and  
 ' by unavoidable Consequence these three great and  
 ' valuable Interests, *To wit*, our Church and Govern-  
 ' ment by Law Established, our Liberty, and our  
 ' Trade. We find our Taxes and Impositions cer-  
 ' tain, and subject to a greater Power, to make  
 ' them *Effectual*; our Advantage, from a Communi-  
 ' cation of Trade with the Kingdom of *England*,  
 ' *most uncertain*, and of a long View. Our reserved  
 ' Rights and Interests are capable of no Security,  
 ' seeing the Plurality of Voices in the Parliament of  
 ' *Great Britain* must determine whatsoever is brought  
 ' before them. We doubt not of your being most  
 ' sensible of these important Losses: And as We  
 ' have given you full Power to represent Us in Par-  
 ' liament in every thing which may redound to our  
 ' Advantage, and is contain'd within the Bounds of  
 ' your Commissions, so We doubt not of your Inte-  
 ' grity and Resolution to give the immediate Senti-  
 ' ments of those you Represent for your Good and  
 ' Interest. At your Election you were impower'd to  
 ' represent Us in the Parliament of *Scotland*, to do  
 ' every thing that was not extraordinary, and that it  
 ' is presum'd your Constituents would have given a  
 ' Special Mandate for; but a Matter of so high and  
 ' great Importance as an UNION, in the Terms  
 ' it is now agreed upon, by the Commissioners for  
 ' the respective Kingdoms, not being then in View;  
 ' we judge that nothing can be done by our Repre-  
 ' sentatives in that matter conform to your Com-  
 ' missions, unless they have a special Authority for  
 ' that purpose, and We have not by Virtue of your  
 ' said Commissions, delegated any Power to you, our  
 ' Trustees, to avert, alter, or innovate our Fundamen-  
 ' tal Laws, our Ancient Constitution and Privilege  
 ' of Parliament; the Offices, Rights, Liberties and  
 ' Dignities of this Kingdom, either belonging to  
 ' Church or State. For all which a special Mandate  
 ' was requisite and necessary: Upon the Considera-  
 ' tion whereof We, by these our Instructions, speci-  
 ' ally require you our Commissioners and Delegates,

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that when any of the said Articles of UNION, which we have declar'd prejudicial to our Interests, are Propos'd, Motion'd or Overtur'd, by any Member or Members of Parliament to be Ratify'd and Pass'd into Law, that you expressly give your Vote against the same, and that you neither Treat, Vote or Determine, in any matter which may relate to the Surrendring and Resigning of any foresaid Privileges, Dignities, Rights and Interests, without Advising and Consulting your Constituents, and procuring from them their special Warrant for that Effect: And these our Sentiments and Resolutions about the Matters above-specify'd are Sign'd, and signify'd by Us to the Barons, Freeholders, Heritors, and others within the Sherifsdome of *Dumfries*. At *Dumfries the 29th of Octob. 1706.* Subscribed by 31 Persons.

On the 30th of *October* the 22d. and 23d. Articles of Union were again read, and further discours'd on; after which the 24th. and 25th Articles and the Minutes relating thereto were also read, and severally debated. The Act adjourning the Session of the Courts till the first of *December* next, was read, and a first Reading order'd to be mark'd thereon. There was a strong Debate about the Precedency of Peers; and many Speeches were made thereon, and the farther Debate adjourned. The *Scots*, being by the 18th Article to have the same publick Laws, it was urg'd in the House, that the same was not consistent with the *Claim of Right*, which 'tis high Treason to alter or innovate. To which it was answer'd, 'That the *Claim of Right* is not inconsistent with an *Incorporating Union*, and that the same States that made the *Claim of Right*, named also Commissioners to Treat of an *Incorporating Union*: But to this it was reply'd, 'That the *English Act*, being without Limitation, it would have been unreasonable to limit the *Scotch*; which was the Reason that the *Scotch Commissioners* were empower'd to treat of an *Incorporating Union*; which, however, did not imply that they were to treat of nothing else; and that it was the rather granted, because the Members of Parliament were told by several great Men, that not one in

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Tert

'Ten was for an *Incorporating Union*. In the mean time, those of the Mob, who were taken up for the late Tumult, were committed to the Custody of the Earl of Errol, Lord High Constable, in order to be tried by his Lordship, according to the Power vested in him, to punish those who break the Peace in the City, in time of Parliament. On the other Hand, the Guards were still kept in *Edinburgh*, and in the Parliament Close, which the Disaffected Party made a Subject of Clamour, as if the Proceedings of the Parliament were not Free, but sway'd by Military Force.

On the last Day of *October*, a publick Fast was devoutly kept in the City of *Edinburgh*, to implore the Blessing and Direction of the Lord, in the present great Affair of the Union; and the Lord High Commissioner, attended with a great Train of Noblemen, assisted at Divine Service, both Forenoon and Afternoon.

The Parliament having gone through with the first Reading of the Articles, the Court Party moved; on the first Day of *November*, That they should now proceed to the farther and more particular Consideration of the same, in order to approve or disallow them; and to begin with the first Article. But the opposite Party, moved also, That the farther Consideration of the Articles of Union should be delay'd for some considerable time, that the Sentiments of the Parliament of *England* about the same, might be known; and that the Members of Parliament might consult those whom they represented. After some Debate on these Motions, the following Petitions and Addresses were presented, viz. One in the Name of the Barons, Freeholders, and others with-  
in the Shire of *Midlothian*; Another from the Barons and Freeholders, and others, within the Shire of *Linlithgow*, and three in the Name of the Barons and Freeholders of *Perthshire*, all against allowing of an *Incorporating Union* with *England*, which were read and discours'd on. After this the Debate for delay on Account of consulting of those whom the Members represented, and knowing the Sentiments of the Nation, and the Proceedings of the Parliament of *England*, was let fall; and it was agreed, That the first Article should be read; but that it

A. C. should be entire, next sitting of the Parliament to debate, whether the first Article should be concluded, by approving thereof, or not; or if the Parliament might not, before concluding thereof, begin with, or conclude any other of the Articles;

*Ad for Ad- and accordingly the first Article was read. Then the*  
*journing* Act adjourning the Session, or Term, till the first  
*the Term,* of December, was touch'd with the Scepter by her  
*pass'd.* Majesty's High Commissioner, in the usual manner.

\* Nov. 2. The next \* Day, being *Saturday*, the Parliament read an Address from the Shire of *Angus*, against the *Union*, which gave occasion to the *Country-party*, as they stiled themselves, to say, 'That the *Union* was a Matter of so great and general Concern, that it was not to be gone into with precipitation; and that there were many more Addresses coming, by which they would see the Inclinations of the Country, and of their Constituents. After this, several other Proposals were offered, as Preliminaries, before they should enter upon the Treaty; one of which was, that the Kingdom of *Scotland* should for ever be the Place of the Prince's Education and Residence. Then there was another

*A warm* Debate, whether they should proceed Immediately to the  
*whether* Consideration of the first Article of the Treaty, or the Se-  
*the Parlia-* curity of the Church. In which, much time being  
*ment should* spent, my Lord Register gave in a Resolve as the  
*go first upon* State of the Vote, That they should enter on the Article,  
*the Union,* but with this Proviso, That tho' it should be voted and  
*or the Secu-* rity of the Church, it should be no ways binding, except all the  
*Church.* rest were agreed to. In opposition to this, it was proposed, that the State of the Vote should be simply, enter on the Article, or first secure the Church: A

*The Lord* great many spoke for both States of the Vote; but  
*Beilhaven* the Question being put, the Lord Register's was  
*makes a re-* carried by a Majority of 38, and then approved  
*markable* by a greater Number. After this, there were long  
*Speech.* and smart Speeches, *Pro* and *Con* on the Subject,  
 † See the particularly by the Lord † *Beilhaven*, and Mr. *Fletcher*  
 Appendix Numb. V. of *Saltroun*.

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During the Debate, whether the Security of the Church, or the first Article for Uniting both Nations into one Kingdom, under the Name of *Great Britain*, should have the Preference; It was urged, 'That according to the Laudable Custom of the  
 'King-

Kingdom of Scotland, as appear'd by their ancient Acts of Parliament, the Church had always the Preference to every thing else. But a Lord, when he found that the first Article of the Treaty had the Preference, alluded, with respect to some who were of the opposite Side, to *Julius Cæsar's*, saying in the Senate, *Es vobis etiam mei Filii? And are you also against me, my Sons?* There had been Endeavours likewise used in the Commission of the General Assembly, to possess them with Apprehensions of the Danger of the Church, from Twenty six Bishops being in the Parliament of Great Britain, where the Presbyterian Kirk could have none to represent her; from the *English Sacramental Test*, and from the *Oath of Abjuration*, by which they must approve that part of the Limitations, which oblig'd the Sovereign to be of the Church of England; notwithstanding all which, it was Criminal by the Law of England, to say the Prince and Parliament had no Power to alter the Succession. Hereupon they would have carried Things in the Commission against an *Incorporating Union*, but were prevented by the Ruling Elders; and in order to make the Church Easie, there were some who promised, that when the Article for an *Incorporating Union* pass'd, they should have a Clause to make the *Union* void, in case the Parliament of Great Britain should in time to come, attempt to alter the present Government of the Church of Scotland. However, many of the Ministers, and zealous Presbyterians, express'd their Displeasure, that the Security of the Church had not the Preference. When the Vote was press'd for approving the first Article of the *Union*, a Duke spoke very boldly against putting it to the Vote, without giving the Members time to consider of it, which he said, was their Privilege. Whereupon it was delay'd till the Monday following.

On the 4th of November, the Parliament read the Addresses from the Shires of *Sterling* and *Dumbartown*, and from the Towns of *Crofts*, *Linlithgow*, *Dunkell*, on *Caledonia*, and *Dysert*, all against an *Incorporating Union* with England. Then the first Article of *Union* was again read, as also the Motion of the former Sitting, relating thereunto, viz. That it

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‘be agreed to in the first place to proceed to take the  
 ‘first Article of the *Union* into Consideration, with  
 ‘this Proviso, That if the other Articles of *Union*  
 ‘be not adjusted by the Parliament, then the agree-  
 ‘ing to, and approving of the first, should be of no  
 ‘Effect, and that immediately after the said first Ar-  
 ‘ticle, the Parliament should proceed to an Act for  
 ‘Security of the Doctrine, Discipline, Worship and  
 ‘Government of the Church, as now by Law Estab-  
 ‘lish’d: And after some further Debate upon the  
 ‘said Article, the Marquis of *Annandale* presented  
 the following Resolve,

*The Mar-  
 quis of An-  
 nandale’s  
 Resolve  
 against an  
 incorpo-  
 rating  
 Union.*

‘**W**Hereas it evidently appears, since the Print-  
 ‘ing, Publishing, and Considering the Arti-  
 ‘cles of Treaty now before this House, this Nation  
 ‘seems generally Averse to this *Incorporating Union*,  
 ‘in the Terms now before us, as Subversive of the  
 ‘Sovereignty, Fundamental Constitution, and Claim  
 ‘of Right of this Kingdom, as now by Law Estab-  
 ‘lished.

‘And seeing it is too evident, That if any *Union*  
 ‘were agreed to in these Terms by this Parliament,  
 ‘and accepted of in the Parliament of *England*, it  
 ‘would in no sort answer the peaceable and friendly  
 ‘Ends proposed by an *Union*, but would on the con-  
 ‘trary, create such dismal Distractions and Animosi-  
 ‘ties amongst our selves, and such Jealousies and  
 ‘Mistakes betwixt us, and our Neighbours, as  
 ‘would involve these Nations into fatal Breaches,  
 ‘and Confusions.

‘Therefore resolved, That we are willing to en-  
 ‘ter into such an *Union* with our Neighbours of  
 ‘*England*, as shall unite us intirely, and after the  
 ‘most strict Manner, in all their and our Interests of  
 ‘Succession, Wars, Alliances and Trade, reserving  
 ‘to us the Sovereignty and Independency of the  
 ‘Crown and Monarchy, and the Ancient Privileges  
 ‘and Immunities of the Kingdom, and the Consti-  
 ‘tution and Frame of the Government, both of  
 ‘Church and State, as they stand now Established  
 ‘by our Fundamental Constitution, by our Claim of  
 ‘Right, and by the Laws following thereupon.  
 Or,

‘Resolved

Resolved, that we will proceed to settle the same Succession with *England*, upon such Conditions and Regulations of Government within our selves, as shall effectually secure the Sovereignty and Independency of this Crown and Kingdom, and the indissolvable Society of the same, with the Fundamental Rights and Constitutions of the Government both of Church and State, as the same stands Established by the Claim of Right, and other Laws and Statutes of this Kingdom.

This Resolve being read and debated, the Vote was stated, Approve of the first Article of Union, or Not; but before the Vote, the Duke of Athol gave the following Protestation:

**I** John Duke of Athol, protest for my self, and all others who shall adhere to this my Protestation, that an incorporating Union of the Crown of Scotland with the Crown of England, and that both Nations should be represented by one and the same Parliament, as contained in the Articles of the Treaty of Union, is contrary to the Honour, Interest, Fundamental Laws and Constitution of this Kingdom, the Birth-right of the Peers, the Rights and Privileges of the Barons and Boroughs, and Act 130 Parl. 8. 3a. 6. by which it is ordained, that none of the Lieges presume or take upon hand, to impugn the Dignity and Authority of the Three Estates of Parliament, or to seek or procure the Innovation or Diminution of the Power and Authority of the said Three Estates under the Pain of Treason: And is contrary to the Claim of Right, Property and Liberty of the Subjects; And the Third Act of Her Majesty's Parliament 1702. by which it is declared High-Treason in any of the Subjects of this Kingdom, to quarrel or impugn, or endeavour by Writing, malicious and advised Speaking, or other open Act or Deed, to alter or innovate the Claim of Right, or any Article thereof: And therefore do desire, that this my Protestation may be marked in the Records of Parliament.

This Protest being read, the Duke of Athol took Instruments thereon, and the same was adhered to by the Duke of Hamilton, Marquess of Annandale, Earl of Errol, Earl Marischal, Earl of Wigton, Earl of Strathmore, Earl of Selkirk, Earl of Kincardin, Viscount

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*Viscount of Stormont, Viscount of Kilsyth, the Lord Semple, the Lord Oliphant, the Lord Balmerinoch, the Lord Blantyre, the Lord Bargany, the Lord Beilhaven, the Lord Colvil, and the Lord Kinnaird; George Lockhart of Carnwath, Sir James Foulis of Colington, Andrew Fletcher of Saltoun, Sir Robert Sinclair of Longformacus, Sir Patrick Home of Rentoun, John Sinclair younger of Stevenson, John Sharp of Hoddom, Mr. Alexander Ferguson of Isle, John Brisbane of Bishoptoun, Mr. Will. Cochran of Kilmarnock, Sir Hump. Colquhoun of Luss, J. Graham of Kildurn, James Graham Bucklyvie, Tho. Sharp of Houstoun, Sir Pat. Murray of Auchtertyre, John Murray of Strawan, James More of Stonewood, David Beaton of Balfour, Mr. Thomas Hope of Rankelior, Mr. Patrick Lyon of Auchterhouse, Mr. James Carnagie of Phinhaven, David Graham younger of Fintry, James Ogilvie younger of Boyne, Mr. George Mackenzie of Inchboulter, Alexander Robertson, Walter Stewart, Alexander Watson, Alexander Edgar, John Black, James Oswald, Robert Johnston, Alexander Duff, Francis Mollison, Walter Scot, George Smith, Robert Scot, Robert Kellie, John Hutchinson, Mr. William Sutherland, Archibald Shiells, Mr. John Lyon, George Spence, Mr. William Johnston, Mr. John Caruthers, George Home, John Bayne and Mr. Robert Frazer.*

*The first  
Article of  
the Treaty  
of Union  
approved.*

Then the Vote was put, *Approve of the said First Articles of the Union in the Terms of the Motion (before mention'd) Yea or not*, and it was carried *Approve*, by a Majority of 34 Voices. Then it was moved, that the List of all the Members of Parliament, as they voted *pro* or *con*, be printed, which was agreed to: After which an Overture for an Act for Security of the true Protestant Religion, and Government of the Church, as by Law Established, within that Kingdom, was read, and order'd to be printed.

On the 6th of November, the Lord Chancellor mov'd, that altho' he had no opportunity to vote for approving of the first Article of Union, yet he desired his Name to be recorded, and to be printed with those who Voted *Approve*, which was agreed to. Then the Parliament read the following Address.



*Queen ANNE's Reign.*

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To his Grace, Her Majesty's High Commissioner, and the Right Honourable, the Estates of Parliament.

*The Address of the Commissioners to the General Convention of the Royal Burrows of this Ancient Kingdom, Convened at Edinburgh the 29th of October last, upon the Great Concern of the Union, proposed betwixt Scotland and England, for Concerting such Measures as should be esteemed Proper for Them, to take, with Relation to their Trade, and other Concerns.*

*Humbly Sheweth,*

**T**HAT as by the Claim of Right, it is the Privilege of all Subjects to Petition: So at this Time, being mostly Impowered by our Constituents; and knowing the Sentiments of the People we represent: It is our indispensable Duty, to signify to your Grace, and the Honourable Estates of Parliament, That as we are not against an Honourable and Safe Union with England, Consisting with the Being of this Kingdom, and Parliaments thereof: Without which, We conceive neither Our Religion, nor our Civil Interests and Trade, as We now, by Law, enjoy them, can be Secured to us, and our Posterity, far less can we expect to have the Condition of the People of Scotland, with Relation to these great Concerns, made better and Improved, without a Scots Parliament.

And, Seeing by the Articles of Union, now under the Consideration of the Honourable Estates of Parliament, It is agreed, That Scotland and England shall be United into one Kingdom; and that the United Kingdoms be govern'd by one and the same Parliament: By which, our Monarchy is Supprest, our Parliaments Extinguished, and in Consequence, our Religion, Church-Government, Claim of Right, Laws, Liberties, Trade, and all that is dear to us, daily in Danger of being encroached upon, Altered, or wholly subverted by the English, in a British-Parliament: Wherein the mean Representation allow'd for Scotland, can never signify in Securing to us the Interest reserv'd by us, or granted to us by the English.

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And by these *Articles*, our Poor People are made liable to the *English Taxes*, which is a certain unsupportable Burden; Considering, That the Trade proposed is uncertain, Involved and wholly Precarious: Especially when regulate as to Export and Import by the Laws of *England*, and under the same Prohibitions, and Restrictions, Customs and Duties. And considering, that the most considerable Branches of our Trade, are differing from those of *England*, and are, and may be yet more discouraged by their Laws: And that all the Concerns of Trade, and our Interest, are, after the Union, Subject to such Alterations, as the Parliament of Great Britain shall think fit:

• We therefore Supplicate your Grace, and the Honourable Estates of Parliament: And do assuredly expect that ye will not Conclude such an Incorporating Union as is contained in the *Articles Proposed*: But that ye will support and maintain the True Reform'd Protestant Religion and Church Government, as by Law Establish'd, the Sovereignty and Independency of this Crown and Kingdom, and the Rights and Privileges of Parliament, which hath been generously Asserted by you, in the Session of this present Parliament: And do further pray, that effectual Means may be used for defeating the Designs and Attempts of all Popish Pretenders whatsoever, to the Succession of this Crown and Kingdom: And for securing this Nation against all the Attempts and Incroachments that may be made by any Persons whatsoever, upon the Sovereignty, Religion, Laws, Liberties, Trade and Quiet of the same. And we promise to Maintain with our Lives and Fortunes, all these valuable Things, in opposition to all Popish and other Enemies whatsoever, according to our Laws and Claim of Right.

Signed by Order, and in Presence of the Convention, by

Sam. Macklellan *Præses*.

other Addresses against the Union.

Then the Addresses of the Shires of *Renfrew* and *Fife*, Burgh of *Falkland*, and Parish of *Hamilton*, Pray-

Praying, that no Union be hastily entred into with England, were given in, read, and debated. The same day, the Act for Security of the True Protestant Religion and Government of the Church as by Law Establish'd within Scotland, was again read, and a first Reading ordered to be mark'd thereon. Then the Accompt, Charge and Discharge of the Funds for the Troops, Garrisons and Frigots, was given in, and ordered to lye upon the Table. An Act for a Supply to be granted to her Majesty, for Maintainance of the standing Forces, Forts, Garrisons and Frigots was presented read, and a first Reading ordered to be mark'd thereon.

It is to be observ'd, That some Objections being made against the Receiving Addressees against the Union, a Member took the Liberty to say, *That if they would not receive them, the Subscribers would come in and bear them read.* On the other hand, the Insolence of the Mob grew to that Height, that a Letter was put into the Lord President's Coach, charging him, at his Peril, to proceed no further in the Union; and abusive Reflections were cast upon the Ministers of State, and Commissioners of the Treaty, as they passed the Streets.

On the 8th of the same Month, the Parliament read the following Representation and Petition of the Clergy:

Unto His Grace, Her Majesty's High Commissioner, and the Right Honourable the Estates of Parliament,

Representation and  
Petition of  
the Clergy.  
Nov. 8.

The Humble Representation of the Commission of the General Assembly of this National Church.

Sheweth,

THAT beside the general Address already made by us, for Securing the Doctrine, Worship, Discipline and Government of this Church, and now under your Consideration, which, with all Gratitude, we acknowledge: There are some Particulars, which in pursuance of the Design of our said Address, we do with all Humility lay before your Grace and Lordships.

1st. That the Sacramental Test, being the Condition of Access to Places of Trust, and to Benefits from the Crown; all of our Communion must be

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‘be debarred from the same, if not in *Scotland*, yet through the rest of the Dominion of *Britain*, which may prove of most dangerous Consequence to this Church.

2d. ‘That this Church and Nation may be exposed to the farther Danger of new Oaths from the Parliament of *Britain*; unless it be provided, That no Oath, Bond, or Test of any kind, shall be required of any Minister, or Member of the Church of *Scotland*, which are Inconsistent with the known Principles of this Church.

3d. ‘There being no Provision in the Treaty of Union, for Security of this Church, by a Coronation Oath, That therefore in the Coronation Oath, to be taken by the Sovereigns of *Great-Britain*, they be engaged to maintain the Doctrine, Worship, Discipline and Government of this Church, and the Rights and Privileges thereof, as now by Law established.

4th. ‘That in case the Proposed Union be concluded, the Church will suffer Prejudice, unless there be a Commission for Plantation of Kirks, and valuation of Tiends, and making up the Registers of that Court which were burnt; and a Judicatory in *Scotland*, for Redressing Grievances, and Judging Causes, which formerly were Judged by the Privy Council, such as the Growth of Popery, and other Irregularities, and with which Judicatory the Church may correspond, anent Fast and Thanksgivings.

5th. ‘Likewise we humbly represent, That in the second part of the Oath of Abjuration, in favour of the Succession in the Protestant Line, there is reference made to some Acts of the *English* Parliament, which, every one in this Nation, who may be obliged to take the said Oath, may not so well know, and therefore cannot swear with Judgment: As also, there seems to us to be some Qualifications required in the Successor to the Crown, which are not suitable to our Principles.

6th. ‘And in the last Place, in case this proposed Treaty of Union shall be concluded, this Nation will be subjected in its Civil Interests to a *British* Parliament, wherein twenty six Prelates are to be Constituent Members and Legislators, And lest  
our

our Silence should be constructed to import our Consent to, or Approbation of the Civil Places and Power of Churchmen ; we crave Leave in all Humility, and due Respect to your Grace and Honourable Estates of Parliament, to represent, that it is contrary to our known Principles and Covenants, that any Churchman should bear Civil Offices, or have Power in the Commonwealth.

*These things We humbly beseech your Grace and Lordships to consider, and provide suitable Remedies thereto. And We shall Pray, that the only Wise God may so direct and guide your Grace and Lordships, in these, and all the Affairs that lye before you ; That the Result of your Consultations may be, the Glory of God, the Advantage of Religion, the Peace and Comfort of Her Majesty (whose long and prosperous Reign we heartily pray for) the Preservation of Peace and Truth in both Kingdoms, and the Welfare of this Church and Nation in particular ; the satisfaction of All who truly Love and Fear the Lord therein, the Peace of your own Consciences, and your Comfort in the day of your Accounts.*

Signed in Name, in Presence, and at the Appointment of the aforesaid Commission of the General Assembly,

By, Sic Subscribitur, WIL. WISHART, *Modr.*

Then the Parliament read likewise the Addresses from the Parish of Tulliallan, Burgh of Dumferling, Town of Borrowstounness, Parish of Blantyre, and Parish of Avendale, against an Incorporating Union. After this, the Act for Security of the Church being again read, it was moved, That the Consideration of the said Act be delay'd till the next sitting ; and that the Parliament proceed to the Act for the Supply ; which being agreed to, the said Act, for the Supply was again read ; and it was agreed, that a Supply of eight Months Cess should be granted to her Majesty for the ends and uses mention'd in the Act, extending to 576000 l. 15 s. 4 d. and that it should be payable at the Terms following, viz. one Months Supply the 10th of December for Martinmas next ; one Month and a half Months Supply at Candlemas 1707. one Month and a half at Whitsunday ; one Month and

*A Supply granted.*

Nov. 8.

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and a half at *Lammas*; one Month and a half at *Martinmas* the said Year, and one Months Supply at *Candlemas* 1708. Then it was moved, That in place of the Retention of a 12th part of Annual Rents allowed by the above Act for a Supply, there be an Allowance granted for Retention of a sixth part of Annual Rents, and after some Reasoning thereupon, it was put to the Vote, Approve of the Article about the Retention, or Amend, and it was carried Approve: And after some Amendments, the Act was Voted and Approved.

\* Nov. 9.  
Act for a  
Supply  
granted.

The next \* day, the Act for a Supply was touch'd with the Scepter, by the Lord High Commissioner in the usual manner; and the Addreses of the Burgh of *Forfar*, Parish of *Cambusnethan*, Parish of *Cambusland*, Parish of *Kilbryde*, Parish of *Bothwell*, and Parish of *Old Munkland*, (all against entring into an Union with England, in the Terms of the Union) having been read, a Proposal was given in, that one Months Cess, given for the three Frigots, and two Birlings, would not equip and maintain them, considering their bad condition by stormy Weather, and considering the Establishment; and that therefore an half Month's Cess be further granted for their Equipment and Maintainance: Which being read,

Act for the  
Security  
of the  
Church  
debated.

the same was order'd to lie upon the Table. Then the Act for Security of the True Protestant Religion and Government of the Church, was again read; and upon reading the first Clause, it was moved, That there should be a particular Enumeration of all the Acts, in favour of the Kirk; and after some reasoning upon it, the Vote was stated, Approve of the Clause as it stands, or amend and enumerate the Acts, and it was carried Approve. Afterwards the second Clause of the said Act was read and agreed to, and upon reading the 3d Clause, it was moved, That an additional Clause be added, for securing the continuance of the Universities and Colleges of the Kingdom; and thereupon an Amendment being made in these Terms, That the Universities and Colleges in this Kingdom, viz. of *St. Andrews*, *Glasgow*, *Aberdeen* and *Edinburgh*, as now Established by Law, shall continue within this Kingdom for ever. After some Debate thereupon, the Vote was put, Approve of the Clause as amended, or not, and it was carried, Approve.

On

On the 12th of November, the Addressees of the Burgh of Cryle, the Parishes of Eastmunkland, Shotts, Dalkeith and Stenhouse, South and Western Shire, and Burgh of Kirkcudbright, all against an Union, in the Terms of the Union, were given in and read. This done, the Parliament proceeded to the farther Consideration of the Act, for Security of the Kirk, &c. and the 4th Clause was again read, whereupon it was moved, That a Clause should be added in these Terms: *And that they shall be capable of any Office Civil or Military, and to receive any Grant or Gift, and to have Command, or Place of Trust from and under the Sovereign, within any Part of Great Britain;* and after Debate thereupon, it was put to the Vote, *add, or not;* and it was carried, *not;* And the Clause, as it stood, was agreed to. Then the 3d and the 4th Clauses being again read, and amended, were likewise agreed to; Whereupon the Act was again read, as also the Representation of the Commission of the general Assembly, and a Vote stated, *Approve of the Act, or not;* but before the Vote was put, the Lord Beilhaven gave in a Protestation in these Terms: 'That he did protest in his own Name, and in the Name of all them that should adhere to him, That this Act is no Valid Security to the Church, in case of any Incorporating Union; and that the Church can have no real and Solid Security by any manner of Union, by which the Claim of Right is unhing'd, the Scotch Parliament Incorporated, and the distinct Sovereignty and Independency of Scotland entirely abolish'd; which being read, he took Instruments thereupon; and several Members adher'd thereunto. It is to be observ'd, that when the Clause was offer'd by the Lord Beilhaven, for Exempting Scotch-men from the Sacramental Test, through all the Dominions of Great Britain, those who were against the Clause, said, it was a Thing out of their Power, and not reasonable to suppose that England would grant. To this it was replied, by those of the contrary Party, 'That the Design of an Union was Equality; but this was the greatest Inequality imaginable; for the English were free to possess Places in Scotland, without any such Imposition, but the Scots were excluded from Places in England, without taking the said Test:

The Lord Beilhaven's protest.

Debate about exempting Scots Men from the Sacramental Test.

A. C.

1706.

*The Act  
for the Se-  
curity of  
the  
Church  
approved.  
\* See the  
Appen-  
dix, pag.  
124.*

† Nov. 14.

‘and that tho’ the *English* thought the Test a good Security for their Church, it was not reasonable that the *Scots*, being a part of the same United Kingdom, and oblig’d to maintain the *Presbyterian* Government in *Scotland*, should therefore be excluded from the Prince’s Favour in any part of the United Kingdom. However, the Clause was thrown out by 39 Voices; and then the other Clauses being amended, the Act for the Security \* of the Church pass’d by a Majority of 74 Votes. However, the Dukes of *Hamilton* and *Arbol*, the Marquis of *Annandale*, the Earls of *Errol*, *Marischal*, *Wigton*, and others, adher’d to the Lord *Beilhaven*’s Protestation, that the Act was not sufficient Security to the Church: The six Points contain’d in the Representation of the Commission of the Church being left unprovided for.

Two † Days after, the Addresses for the Parishes of *Covington*, *Carstairs*, *Symington*, *Livertost*, *Quothquon*, *Dunsyre*, *Rutherglen* and *Carnwath*; and of the Shire of *Lenrek*, all against allowing an Union with *England*, in the Terms of the Articles, were given in, and read: After which the second Article of Union was again read. Hereupon a Motion was made, That before any Vote upon the said Article be agreed, it be inserted in the Minutes as a Preliminary, That the agreeing to the second Article of the Treaty, in relation to the Succession to the Crown of Great Britain, shall not be binding, or have any effect, unless Terms and Conditions of an Union of the two Kingdoms be finally Adjusted and Concluded, and an Act pass’d thereupon in this Parliament; and that the said Terms and Conditions be also agreed to, and ratify’d by an Act of the Parliament of *England*. A Resolve was also given in, That the House would proceed to the consideration of the Articles of the Treaty, which relate to Trade and Taxes. After some Debate thereupon, the Vote was stated, Proceed to the consideration of the second Article of Union in the Terms of the Motions, or proceed to the Consideration of the 4th, and other Articles of the Treaty, which relate to Trade and Taxes, and it was carried proceed to the second, by a Majority of 110 Voices, against 84.

\* Nov. 15.

The next \* Day, the Parliament receiv’d and read a Representation of the Commission of the General Assembly.



bly, setting forth, the Increase of Popery, Prophaneness, and craving the same might be restrain'd, and the Succession to the Crown establish'd in the Protestant Line; which was referr'd to the Committee for Calculation of the Equivalent. Then the Address of Glasgow, Gerbals and Mure, Biggar, and Shire of Lanerk, against an Incorporating Union, were read; after which the second Article of the Treaty was also read, and it was moved, That the Parliament should proceed to settle the Succession upon Regulations and Limitations in the Terms of the Resolve mention'd in the Minutes of the 4th of November, and not in the Terms of the second Article of Union. It was moved also, to address Her Majesty, and to lay before her the Condition of the Nation, and the Aversion in many Persons to an Incorporating Union with England, and to acquaint Her Majesty with the Willingness to settle the Succession in the Protestant Line upon Limitations, and in order thereto, that some Recess be granted. After some Debate on these Motions, a Vote was propos'd, approve of the second Article of Union, in Terms of the Preliminary Motion, or not, and after some further Debate, there was a second State offer'd, Address, or not. Then it was put to the Vote, whether the first, or second, should be the State of the Vote, and it was carried the first; but it being mov'd, that some further Reasoning should be allow'd before the Vote, after some Debate, it was agreed, that the English Acts of Parliament mention'd in the second Article of Union be read; and that immediately after a Vote should be stated, proceed to call the Vote, or delay. Accordingly the said English Acts of Parliament were read, and thereupon the Vote was stated, proceed to call the Vote for approving the second Article, or delay, and it was carried proceed. Then the Vote was put, approve the second Article in the Terms of the Preliminary Motion, Yea, or No. But before Voting, the Earl Marischal gave in a Protest for himself, and all those who should adhere to his Protestation, That no Person could be design'd a Successor to the Crown of that Realm, after the Decease of Her Majesty, whom God long preserve, and failing Issue of her Body, who was Successor to the Crown of England, unless that in the present Session of Parliament, or any other Session of this,

Debates  
about the  
2d Article  
of Union.

The Earl  
Marischal's Pro-  
test.

A.C. or any ensuing Parliament during Her Majesty's Reign, there be such Conditions of Government settled and enacted, as might secure the Honour and Sovereignty of that Crown and Kingdom, the Frequency and Power of Parliament; the Religion, Liberty and Trade of the Nation from England, or any Foreign Influence, which being read, he took Instruments thereon. And it was agreed, that a List of the Members should be printed, as they Voted, approve, or not, and that they who adher'd to the Protest, should be mark'd. Then the Vote was put, approve, or not, and it was carried Approve, by 59 Votes; and at calling the Rolls the Viscount of Stormount adhered to the Earl Marischal's Protest.

\* Nov. 18. Three \* Days after, the Address of the Burgh of Kirckenbright, Parish of Crawford, Burgh of Cauper in Fife, Presbytery of Lanerk, Town of Lanerk, and Parish of Crawford's John, all against an Incorporating Union were read; and then the third Article of the Treaty of Union was again read, whereupon it was mov'd, That the agreeing to the said Article, in relation to the Parliament of Great Britain, should not be binding, nor have any effect, unless Terms and Conditions of an Union of the two Kingdoms, and particularly the Constitution of the said Parliament, be finally adjusted and concluded, and an Act pass thereupon in the Parliament; and that the said Terms and Conditions be also agreed to, and ratify'd by an Act of the Parliament of England, the Constitution of the Parliament of Great Britain being left intire, until the Parliament come upon the 22.d Article. It was mov'd also, to proceed to the Consideration of the fourth, and other Articles of Union, before the third, and after some Reasoning thereupon, it was put to the Vote, proceed to the Consideration of the third Article, in the Terms of the Motion relating thereto, or proceed to the fourth Article. and it was carried proceed to the third. Accordingly the Parliament proceeded to the Consideration of the third Article; and after long Debate thereupon, a Vote was stated, Approve of the third Article, in the Terms of the Motion relating thereto, or not, But before voting, the Marquis of Annandale, gave in a Protest, and desired that the Narrative of the Resolve inserted in the Minute of the 4th of that Month of November might be prefix'd thereto:

The Marquis of Annandale's Protest.

this

That Narrative and Protest was as follows, viz.  
Whereas it evidently appears, since the printing  
and considering the Articles of Treaty now before  
this House, That this Nation seems equally averse  
to this Incorporating Union in the Terms now before  
us, as Subversive of the Sovereignty, Fundamental  
Constitution, and Claim of Right of this Kingdom, and  
as threatening Ruin to this Church, as by Law Estab-  
lish'd: And since it is plain, that if an Union was  
agreed to in these Terms by the Parliament, and  
accepted of by the Parliament of England, it would  
in no sort, answer the peaceable and friendly Ends  
proposed by an Union, but would, on the contra-  
ry, create such dismal Distractions and Animosities  
amongst our selves, and such Jealousies and Mistakes  
betwixt us, and our Neighbours, as would involve  
these Nations, into fatal Breaches and Confusions:  
Therefore I do Protest for my Self, and in the  
Name of those who shall adhere to this my Pro-  
testation, that an Incorporating Union of the Crown  
and Kingdom of Scotland, with the Crown and  
Kingdom of England, and that both Nations be  
represented by one and the same Parliament, as  
contained in the Articles of the Treaty of Union,  
and contrary to the Honour, Interest, Fundamen-  
tal Laws and Constitutions of this Kingdom, is a  
Giving up the Sovereignty, the Birth Right of the Peers,  
the Rights and Privileges of the Barons and Burrows, and  
is contrary to the Claim of Right, Property, and Liberty  
of the Subjects, and the third Act of her Majesty's Par-  
liament 1703, By which it is declared High Treason in  
any of the Subjects of this Kingdom, to Quarrel, or en-  
deavour by Writing, malicious and advised Speaking,  
or other open Act or Deed, to Alter or Innovate the Claim  
of Right, or any Article thereof; and do Protest that  
this shall not prejudice the Being of future Seals,  
Parliaments, and Conventions within the King-  
dom of Scotland at no time coming. After reading  
this Protest, he took Instruments thereupon; and  
then the Vote was put, Approve of the Third Article  
in the Terms of the Motion, or not; and it was car-  
ried approve by a Majority of 31 Votes, that of  
the Lord Chancellor included.

The 3d Ar-  
ticle car-  
ried.

The Lord  
High Com-  
missioner  
insulted by  
the Mobb.

It was late that Day before the Parliament rose,  
and the Mobb of Edinburgh, which, either thro

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1706.

\* Nov. 19.

the Negligence or Connivance, of some Persons in Authority, continued to gather in great Numbers, with monstrous and barbarous insolence insulted the Lord High Commissioner as he was returning Home. For altho' the Horse Guards and some of the Foot Grenadiers were round his Grace's Coach, yet the raskally Crew were so audacious as to throw Stones from several Corners, some of which fell into the very Coach; and press'd so hard upon it, that the Coachman was forc'd to drive full speed down the Street; and one of his Grace's Pages falling behind, did narrowly escape with his Life, having receiv'd several Blows. The next \* Day, the Lord Chancellor acquainted the Parliament with the Insult that was offer'd to the Lord High Commissioner; whereupon the House referr'd to the Committee for examining the Equivalent, to make Inquiry into that Matter, to indemnify and give Reward for Discovery, to seize and imprison any Persons they should suspect, and to report their Information, and their Opinion, what measures might be proper for preventing the like for the future. The Parliament likewise recommended to the Lord High Constable to prosecute Persons imprison'd, on Account of a former Tumult; and order'd the Magistrates of *Edinburgh* to assist therein. The same Day, an Address from the City of *St. Andrews* against an *Union* being read, it was moved, That the Parliament should proceed to the 4th Article of *Union*, but the Duke of *Arbuthnot* Moved, That before they proceeded to the said Article, a Clause be added to the 3d Article in these Terms: *And that the said Parliament of Great-Britain shall meet and sit once in three Years at least, in that Part of Great Britain now called Scotland*; And after Debate thereon, the Consideration thereof was delay'd till the Parliament came to the 22d Article. Then the 4th Article of *Union* was read, and the *Scots* being admitted thereby to an equal Communication of Trade with the *English*, it was thought that Article, would meet with no manner of Opposition; But the Duke of *Hamilton* made a Motion, That all the Regulations and Restrictions of the *English* Trade; the Regulations of their Companies, &c. should be laid before the House; and Mr *Fletcher* of *Salton*, in a set Speech, endeavour'd to prove this

Debate about the  
4th Article of Union.

Paradox, viz. That the being let into the Trade of England, would be a Disadvantage to Scotland. After some Debate about that Matter the further Consideration of it was put off till the next <sup>†</sup> Sitting, when the Address of the Town of Paselay, against an Union being read, the fourth Article of Union was again read; whereupon it was mov'd, 'to take the several Branches of Trade, to be communicated, into Consideration, that it might thereby appear how far the Communication of Trade should be advantageous. After reasoning thereupon, the Vote was stated Approve of the fourth Article, reserving the consideration of several Branches of Trade, till the Parliament came to the Subsequent or ~~not~~, and it was carried Approve, by near four Voices to one. Then the Fifth Article of Union was read; whereupon a Proposal was given, for explaining and enlarging the same in these Terms, 'That all Ships or Vessels belonging to her Majesty's Subjects of Scotland, at the time of Ratifying the Treaty of the Union of the Two Kingdoms in the Parliament of Scotland, tho' Foreign built, shall be deemed and pass as Ships of the built of Great Britain; the Owner, or where there are more Owners, one or more of the Owners, within 12 Months after the Union, making Oath, that at the time of Ratifying the Treaty of Union in the Parliament of Scotland, the same did in whole, or in part, belong to him, or them, or to some other Subject or Subjects of Scotland, to be particularly named, with the Place of their respective Abodes; and that the same doth then, at the time of the said Deposition, wholly belong to him, or them; and that no Foreigner, directly nor indirectly, hath any Share, Part or Interest therein: Which being read, it was moved, 'That 6 Months more time should be added to the time allow'd by the Proposal, for purchasing Ships or Vessels, and after some Reasoning thereupon, the further Consideration thereof was delay'd till next Sitting.

The 4th Article of Union approved.

It is remarkable, that the said Proposal was given in with the Approbation of Her Majesty's Ministers, who by that political Step, and their ready Concurrence with some other Clauses for Explaining and Enlarging other Articles of the Treaty, remov'd the Prejudices of many against the Union. Among

A. C. the rest the Lord High Commissioner behav'd him-  
 1706. self with that Mildness, Prudence, and Steadiness,  
 that the most partial were forc'd to own, they ne-  
 ver had a better or abler Man at the Head of that  
 Government.

On the 23d of the same Month, the Address of  
 the Borough and Parish of *Glasgow*, Parishes of *Cul-*  
*rossi, Salme, Carnock and Farrie*, Town of *Sterling*,  
 Stewartry of *Annandale*, and Town of *Innereisting*,  
 against an *Incorporating Union*, were read. Afterwards  
 the Fifth Article of the Treaty was also read, with  
 the Proposal inserted in the Minutes of the former  
 sitting, with this Amendment, instead of, *after the*  
*Union*, after the first of May next. After some Rea-  
 soning thereon, a second Proposal was given in by  
 the Lord *Beilhaven*, in these Terms, That all Ships  
 or Vessels belonging to the Subjects of *Scotland* at  
 the time of Ratifying the Treaty in the Parliament  
 of both Kingdoms, be esteem'd as the built of *Eng-*  
*land*: And after some Debate, the Vote was stated,  
 Approve of the first Paragraph of the fifth Arti-  
 cle, with the first Amendment, or second, and it was  
 carried *Approve of the first*. Then the rest of the  
 said Article was read, and an additional Clause given  
 in by the Duke of *Hamilton*, in these Terms. 'That  
 for the space of seven Years after the Union, it  
 is expressly agreed, That no Seamen Aboard any  
*Scots Ship*, shall either at Home, or Abroad, be  
 press'd from Aboard their said Ships, to serve in  
 any of her Majesty's Ships; and in case there be  
 a Levy of Seamen in the United Kingdom, that  
 that part thereof now call'd *Scotland*, shall only bear  
 such a Proportion, as their Taxes are in propor-  
 tion with *England*; but without Prejudice to Offi-  
 cers, or Masters of Ships, to engage as many Vo-  
 luntier Seamen as they can agree with, within this  
 part of the United Kingdom; and this Article to  
 be unalterable by any subsequent *British* Parlia-  
 ment. Which being read, after some Reasoning  
 thereupon, it was put to the Vote, add the second  
 Clause, or not, and it was carried, *not*, by 54 Votes.  
 The remainder of the Vth Article being again read,  
 the Vote was put approve or not, and it was carried  
 approve.

The first Pa-  
 ragraph of  
 the 5th Ar-  
 ticle ap-  
 proved.

Clause of-  
 fer'd by the  
 Duke of  
 Hamilton  
 rejected.

The whole  
 5th Article  
 approv'd.

On the 26th of November, after the Reading of the Addresses from the Shire of *Roxborough*, Boroughs of *Annan* and *Loftunabers*, and Parish of *Lesmahage*, all against an Union, in the Terms of the Treaty; and some other private Affairs, the VIth Article of Union was read, and after reasoning, it was Mov'd, That there should be a Scheme laid before the Parliament of all the Branches of their Trade, as to Export and Import; and after some farther Debate, the Propofal following was given in, viz. That the Article should be agreed to, excepting so far as should be rectified by the Parliament, upon the Consideration of the Subsequent Articles. Another Propofal was also given in, viz. 'And seeing by the Laws of England, there are Rewards granted upon Export of certain kind of Grains, wherein Oats is not specified, that after the Union, when Oats shall be at 19 s. per Quarter, or under, there shall be paid 2 s. 6 d. for every Quarter of Oat-Meal exported in the Terms of the Law, whereby Rewards are granted for Export of the Grains; and in respect there is a Duty upon Oats imported into England, but no Duty upon the Meal, the Importing of which is a Prejudice and Discouragement to Tillage: Therefore, that from, and after the Union, the Quarter of Oat-Meal be deem'd equal to three Quarters of Oats, and pay Duty accordingly, when Imported to Scotland from any place whatever beyond the Sea. Which being all read, after reasoning thereon, it was moved, that the Observations (in relation to the Ballance of Trade) made by the Council of Trade, should be laid before the House; and after Debate, the further consideration was delay'd till the next Sitting, and ordered that the Observations made by the Council of Trade, be then laid before the House. During the Debate on the VIth Article, whereby the Scots are made liable to the same Customs with England, the Duke of Hamilton, Marquis of Annandale, and others of their Party said, 'That it was hard to enter upon such a General, until they understood the several Branches of their Trade, and how they agreed with the Impositions of England; and the Marquis of Annandale urg'd, That in the Treaty of 1602. they were allowed to be under their own Regulations, and to have a Book of Rates

A. C.  
1706.

The VIth  
Article  
consider'd.

A. C.

1706.

Nov. 27

'Rates for themselves; and therefore it was hard they should not have the same now.

The next \* day, an Address from the Shire of *Midlothian* against an Union, being read, the 6th Article of the Union, with the Addition of the word *Drawback*, to both Clauses thereof was read, and the said word agreed to. Then the said Article, as amended, was again read, and the Proposal about Oats and Oatmeal, with this Addition, 'And that the Beer of *Scotland* have the like Rewards and Drawbacks as Barley: It was moved, that the like Premium or Drawback, on Exportation of Oatmeal, be allow'd as on the Exportation of Rye in *England*, and after Debate, agreed, that the said 6th Article, with the Proposals for Amendments, be referred to a Committee. Then the following Clause was offerr'd, 'That *Scotland*, for ——— years after the Union, be free from the Prohibitions against Exporting Wool, Skins with Wool, and Woollen Yarn, which by the Oaths of the Seller and Buyer, shall be made appear to be the proper Growth and Product of *Scotland*, and spun within the same, which shall no ways be comprehended under any of the Laws already made in *England*, or to be made during the space aforesaid. As also this Clause, viz: Excepting the Duties on Export and Import, on particular Commodities, from which the Subjects of either Kingdom, are specially liberated and exempted by their private Rights, and which, after the Union, are to remain entire: And this Clause, viz: 'That after the Union all sorts of *Scotch* Linnen, or any kind of Cloath, made of Flax or Hemp, be exported out of the United Kingdom, free of all Customs, or other Impositions whatsoever. As also another Clause, viz: 'That before the Union, we may now, have such a Drawback adjusted, as may enable us to export Beef, Pork and Butter to the *West-Indies*, and other Foreign Parts. As likewise this Clause, That after the Union, all Duties or Bounty Tolls, or other Exactions on Black Cattle, or other Product of *Scotland*, when carried into *England*; or Product of *England* when carried into *Scotland*, payable, either to publick or private Persons, be, in all time

co-



coming, void and null. And lastly, another Clause, in these Terms, 'That after the Union, Scotland shall have Liberty, for ever, to Manufacture Plaiders, Fingrams, Galloway-Whites, Sarges, Stockings, and all sorts of Linnen, as they have been used to do, conform to the Regulations of their own Laws, and to export the same to England, or Dominions and Plantations thereto belonging, or to any other Place beyond Seas, free of any Duty whatsoever. But in case any of the Subjects of Scotland shall export any other sort of Woollen Manufacture, they are to be liable to the Regulations and Taxes of England imposed before the Union, or to be imposed afterwards by the Parliament of Great Britain; All these Clauses, together with the VIth Article and Proposal, were referred to the Committee appointed for the Calculation of the Equivalent, to which Committee it was agreed to add two Members of each State,

Accordingly, on the 28th, after the Reading the Addresses of the Parish of Nimans, and of the Town of Dunbar, against an Union, in the Terms of the Articles, the Parliament proceeded to the Election of the additional Members to the Committee, to whom the 6th Article, and Clauses and Proposals relative thereto, were refer'd, and the three Estates having separated to their usual Places, they returned, and reported their respective Elections of the said additional Members, viz. of the Nobility, the Earls of Haddingtown and Cromartie; of the Commissioners for Shires, Sir Gilbert Elliot of Minto, and Sir The. Burnet of Leys; and for the Boroughs, Sir John Arden, knt, and Sir Peter Halkeir, and the Committee was appointed to meet in the Inner Session House the next day at nine in the morning. Then the 7th Article

Six Members added to the Committee for computing the Equivalent.

The VIIth Article debated.

was again read, and after some Reasoning, a Proposal for Explanation and Addition on these Terms, was given in; 'That the 34 Gallons English Barrel of Beer or Ale, amounting to 12 Gallons Scotch present Measure, sold in Scotland by the Brewer at 9 s. 6 d. Sterling, excluding all Duties, and Retailed including Duties; and the Retailer's Profit at 2 d. the Scotch Pint, or eight parts of the Scotch Gallon, be not after the Union liable on account of the present Excise upon excisable Liquors in Eng-

Nov. 28.

A. C.  
1706.

*Land*, to any higher Imposition than 2 s. Sterling upon the foresaid 34 Gallons *English* Barrels, being the present *Scotch* Measure. Another Clause was likewise offer'd, viz. And it is hereby specially provided, that the two Penny Ale and Beer of *Scot-land* shall be only charged with the same Excise, as the present small Beer of *England*; and after some Debate, the Vote was stated, Approve of the 7th Article, as to the Excise of Ale and Beer, with the first or last Explanation; and the Clauses being read, it was carried Approve with the first by 33 Votes.

† Nov. 29. The next † day, the Observations made by the Council of Trade, in relation to the Export and Import of the *Scotch* Nation, and Ballance of their Trade, was ordered to be laid before the Committee, to whom the 6th Article of Union was refer'd. Then the Lord Chancellor acquainted the Parliament, that the secret Council at their last Meeting, had under their Consideration several Accounts of Irregular and Tumultuary Meetings, by some People of the common and meanest Degree in Arms, and of Abuses committed by them at \* *Glasgow*, *Kirkcudbright* and *Dumfries*, and several Places of *Lanarkshire*; and that there were Papers dropt, inviting People to take up Arms, and to provide Ammunition and Provisions, in order to their Marching to disturb the Parliament, all which he was directed by the secret Council to lay before the Parliament, to the effect proper methods might be resolv'd upon, for preventing the evil Consequences of such Practices: after which his Lordship presented a Letter from the Magistrates of *Dumfries*, to her Majesty's Advocate, giving an Account of the Abuses and Tumultuary Meetings in that Place, with a Declaration emitted by those who met, which was affixt on the Market Cross of *Dumfries*. The latter was as follows:

An

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\* The Mob at *Glasgow* was so audacious, as to hang in Effigie one of the Lord's Commissioners in the Treaty of Union, with the Articles about his Neck.

*An Account of the Burning of the Articles of the Union  
at Dumfries.*

*These are to Notify to all Concern'd, what are our Reasons for, and Designs in the Burning of the Printed Articles of the Proposed Union with England, with the Names of the Scots Commissioners, Subscribers thereof; together with the Minutes of the whole Treaty, betwixt them and the English Commissioners thereunto.*

WE have herein no Design against Her Majesty, nor against England, or any Englishman; neither against our present Parliament, in their Acts or Actings, for the Interest, Safety and Sovereignty of this Our Native and Antient Nation: But to Testifie our Dissent from, Discontent with, and Protestation against the Twenty five Articles of the said Union, subscribed by the foresaid Commissioners; as being inconsistent with, and altogether prejudicial to, and utterly Destructive of this Nation's Independency, Crown-Rights, and our Constituted Laws, both Sacred and Civil. We shall not here Condescend upon the particular prejudices, that do, and will redound to this Nation, if the said Union should be carried on, according to the Printed Articles: But refer the Reader to the Variety of Addresses, given in to the present Parliament, by all Ranks, from almost all Corners of this Nation, against the said Union: Only we must say, and profess, That the Commissioners for this Nation, have been either Simple, Ignorant, or Treacherous, if not all three; when the Minutes of the Treaty betwixt the Commissioners of both Kingdoms are duly Consider'd; and when we compare their Dastardly Yeldings unto the Demands and Proposals of the English Commissioners; who, on the contrary, have Valiantly acquitted themselves for the Interest and Safety of their Nation.

We acknowledge it is in the Power of the present Parliament, to give Remissions to the Subscribers of the foresaid Articles; and we heartily wish for a good Agreement amongst all the Members of the Parliament, so as it may tend to the Safety and Preservation

A. G. 'servation of both Church and State, with all the  
 1706. 'Privileges belonging thereto, within the Kingdom  
 of Scotland.

'But if the Subscribers of the foresaid Treaty  
 'and Union, with their Associates in Parliament,  
 'shall presume to carry on the said Union, by a Su-  
 'pream Power over the Belly of the Generality of  
 'this Nation: Then, and in that Case, as we Judge  
 'that the Consent of the Generality of the same,  
 'can only Divest them of their Sacred and Civil  
 'Liberties, purchased and maintained by our An-  
 'cestors with their Blood! So we Protest, whatever  
 'Ratification of the foresaid Union may pass in Par-  
 'liament, contrary to our Fundamental Laws, Li-  
 'berties and Privileges, concerning Church and  
 'State, may not be binding upon the Nation, now,  
 'nor at any time to come: And particularly we  
 'protest against the Approbation of the first Article  
 'of the said Union, before the Privileges of this Na-  
 'tion, contain'd in the other Articles had been ad-  
 'justed and Secured: And so we earnestly Require,  
 'that the Representatives in Parliament, who are  
 'for our Nation's Privileges, would give timeous  
 'warning to all the Corners of the Kingdom; That  
 'we and our Posterity become not Tributary and  
 'Bondslaves, to our Neighbours, without acquit-  
 'ting our Selves, as becomes Men and Christians:  
 'And we are confident, that the Soldiers now in  
 'Martial Power, have so much of the Spirits of  
 'Scotch-men; that they are not Ambitious to be  
 'Disposed of, at the pleasure of another Nation:  
 'And we hereby Declare, that we have no Design  
 'against them in this Matter.

*This was publickly read from the Market-Cross of Dum-  
 fries, about one of the Clock in the Afternoon, the  
 20th Day of November, 1706, with great Solemn-  
 nity, in the Audience of many Thousands; The Fire  
 being Surrounded by double Squadrons of Foot and  
 Horse, in Martial Order: And after the Burning  
 of the said Books, (who were holden up; Burning on  
 the Point of a Pike, to the View of all the People, gi-  
 ving their Consent by Huzzas and Cheerful Accla-  
 mations.) A Copy hereof was left affixed on the Cross,  
 as a Testimony of the South part of this Nation a-  
 gainst.*

gainst the proposed Union, as Moulded in the printed Articles thereof.

A. C.

1726.

This we desire to be printed and kept in Record, ad futuram rei memoriam.

After the Reading of the said Letter and Declaration, a Draught of a Proclamation to be emitted by the Parliament, against all Tumultuary Meetings, and Convocation of the Leidges, was presented and read; And after some Discourse thereupon, it being objected, that it did not appear that there was a particular Information of any Tumultuary Meeting, or irregular Convocations, in the Shire of Lanerk, or at Glasgow, Her Majesty's High Commissioner was thereupon pleased to notify to the Parliament, that he had Information, not only from Glasgow and Dumfries, but also from several places in Lanerkshire, of Tumultuary and Irregular Meetings of Men under Arms, and of their going out, and publishing their Design of marching to disturb the Parliament. Therefore the Draught of the Proclamation was again read, and after reasoning thereupon, and some Amendments, a Vote was stated, approve of the Proclamation or not, and it was carried approve, by three only Dissenting. Then the Draught of an Act, suspending the Effect of the Clause in the Act of Security, for Arming and Exercising the Fensible Men, past in the second Session of this Parliament, and that during this Session of Parliament only, was read, and a first reading order'd to be mark'd thereon.

The Parliament approves a Proclamation against Tumults.

The next Day, being the last of November, the said Act was again read, approv'd, and touch'd with the Scepter by the Lord High-Commissioner, under the Title of Act against all Musters and Rendezvous, during the present Session of Parliament; and the same was order'd to be forthwith printed and publish'd, together with the Proclamation against Tumults. The same Day, after the Reading of an Address from the Burgh of Breck, and another from the Town and Parish of Brunt-Island, against an Union, in the Terms of the Treaty, the seventh Article was again Read, debated, and that part of it not approved before, pass'd, by more than two thirds

Nov. 30.

The 8th Article wholly approved.

A. C.

1796.

Tumult in  
Edin-  
burgh,  
Nov. 30.

Appointed  
by the Duke  
of Argile.

thirds of the House. The Printed *Account of the Burning of the Articles of Union at Dumfries*, before mentioned, being again read, it was refer'd to the Committee appointed for Examining the 6th Article of Union, to make Enquiry after the Printer and Publisher of that Scandalous Paper, which was order'd to be burnt by the Hands of the Common Hang-man. Then the 8th Article was again read, and refer'd to the said Committee, whom all such Members as gave in any Overtures, or Clauses relating to the 6th Article of Union, were directed to attend the next Meeting.

That very Day the Parliament was taking vigorous Measures to suppress tumultuous Assemblies, the *Edinburgh Mob*, had the Insolence to come, in great Numbers, to the Parliament-Close, demanding with loud Out-cries, *That the Treaty of Union be rejected*. Hereupon the Duke of Argile, with great Resolution, went out of the House in order to appease the Riotous Multitude, of whom he ask'd, whether they knew who he was? They answer'd, they knew him no more as the Duke of Argile, but only as Earl of Greenwich, and as such entirely in the Interest of England: But that Illustrious Peer, having with repeated Intreaties, perswaded them to give him the Hearing, his Grace spoke to them with such Calmness and Strength of Reason, as qualified the Fury of the Boldest, and work'd so powerfully upon the rest, that some of them cry'd out *Long live the Duke of Argile, and Prosperity to the Union*. However, the Court being apprehensive that Her Majesties Ministers, and the Well-affected, might be exposed to further Insults, some Regiments of Horse and Dragoons were order'd to march towards the North of England, to be in a Readiness to enter Scotland, in case of any Rising in that Kingdom: Which by the steady Conduct and Vigilance, of the Lord High Commissioner, and the other Ministers, was happily prevented.

It was the general Opinion, and, perhaps the first Resolution of the Court, that the Parliament of England should not sit till that of Scotland had finish'd the Affair of the Union, but the same being like to draw into length, and Her Majesty's Occasions not admitting of Delays, the Parliament of England, which on the 21st

of

of November, had been further prorogued to the 3d of December, met that Day at Westminster; and the Queen being come to the House of Peers, with the usual Solemnity, and the Commons sent for up, Her Majesty was pleas'd to deliver herself in these Words to both Houses:

A. C.  
1706.

The Parlia-  
ment of  
England  
meets,  
Dec. 3.

*My Lords and Gentlemen,*

I Hope We are all Met together at this Time, with Hearts truly Thankful to Almighty God, for the Glorious Successes with which he has Blessed Our Arms, and those of Our Allies, through the whole Course of this Year; and with serious and steady Resolutions, to prosecute the Advantages We have gain'd, till We reap the desired Fruit of them, in an Honourable and Durable Peace.

The Goodness of God has brought this happy Prospect so much nearer to Us, that if We be not wanting to Our selves. We may, upon good Grounds, hope to see such a Balance of Power Establish'd in Europe, that it shall no longer be at the Pleasure of one Prince, to disturb the Repose; and endanger the Liberties of this part of the World.

A just consideration of the Present posture of Affairs, of the Circumstances of Our Enemies, and the good Disposition of Our Allies, must needs excite an uncommon Zeal, and animate Us to exert Our Utmost Endeavours at this Critical Conjunction.

*Gentlemen of the House of Commons,*

As I am fully perswaded You are all of this Mind, so I must earnestly desire You to Grant Me Supplies sufficient for carrying on the War next Year, in so effectual a manner, that We may be able to improve every where the Advantages of this successful Campaign: And I assure You, I shall make it My Business to see all You give, apply'd to those Ends with the greatest Care and Management.

*My Lords and Gentlemen,*

In pursuance of the Powers Vested in Me by Act of Parliament, both in England and Scotland, I appointed

## The ANNALS of

appointed Commissioners to treat of an Union between the Two Kingdoms, and tho' this be a Work of such a Nature as could not but be attended with great Difficulties, yet such has been the Application of the Commissioners, that they have Concluded a Treaty which is, at this Time, before the Parliament of Scotland; and I hope the mutual Advantages of an entire Union of the Two Kingdoms will be found so apparent, that it will not be long before I shall have an Opportunity of Acquainting You with the Success which it has met with there.

Your Meeting at this time being later than usual, I cannot conclude without earnestly Recommending to you, to give as much Dispatch to the Publick Affairs as the Nature of them will Admit, it being of the greatest Consequence, that both Our Friends and our Enemies shou'd be fully convinc'd of your Firmness and the Vigour of your Proceedings.

*The Commons  
Vote  
of Thanks  
and Congra-  
tulation.*

This excellent Speech was receiv'd with uncommon Applause, both within and without Doors; and the Commons being return'd to their House, made this unanimous Vote;

*Resolved,* 'That an Address be presented to Her Majesty, to return the humble Thanks of this House for Her Majesty's most gracious Speech from the Throne; to Congratulate Her Majesty upon the Glorious Victory obtain'd by Her Arms, and those of Her Allies, under the Command of the Duke of Marlborough at *Ramillies*, and the repeated Successes with which it hath pleas'd God to bless the Arms of Her Majesty, and Her Allies, beyond the Example of former Ages; And as Her Majesty's Allies have shew'd their good Disposition to advance the Common Cause, to assure Her Majesty, that this House will exert it self to the utmost, in giving such speedy and effectual Supplies to Her Majesty, as may enable Her to prosecute the War with Vigour, and to improve the great Advantages of this Successful Campaign, so as to obtain an Honourable Peace, that may be a lasting Security to the Dominions of her Majesty, and those of Her Allies,

After



After the Commons had appointed a Committee to draw up that Address, and unanimously resolv'd to take Her Majesty's Speech into Consideration the next Day: They set proper Days for the Sitting of the four Grand Committees for Religion, Grievances, Courts of Justice, and Trade. Then they appointed a Committee of Privileges and Elections, upon which occasion they made the following remarkable Votes:

*Votes about*

1stly, That no Peer of this Realm hath any Right *Privileges and Elections* to give his Vote in the Election for any Member to serve in Parliament. 2dly, That where the House shall judge any Petition touching Elections to be Frivolous and Vexatious, the House will order Satisfaction to be made to the Person petition'd against. 3dly, That in case it shall appear any Person hath procur'd himself to be elected or returned as a Member of this House, or endeavour'd so to be, by Bribery or any other corrupt Practices, this House will proceed with the utmost Severity against such Person. 4thly, That if it shall appear any Person hath been Tampering with any Witnesses, in respect of their Evidence to be given to this House, or any Committee thereof, or directly or indirectly endeavour'd to deter or hinder any Person from appearing or giving Evidence, the same is declar'd to be a High Crime and Misdemeanor; and this House will proceed with the utmost Severity against such Offenders. 5thly, That if it shall appear any Person hath given false Evidence in any Case before the House, or any Committee thereof, this House will proceed with the utmost Severity against such Offenders. 6thly, That for any Lord of Parliament, or any Lord Lieutenant of any County, to concern themselves in the Elections of Members, to serve for the Commons in Parliament, the same is a high Infringement of the Liberties and Privileges of the Commons of England. This done, the Commons pass this unanimous Vote:

That the Thanks of this House be given to his Grace the Duke of Marlborough, for his Eminent Services to her Majesty and this Kingdom, in the Great and Glorious Victories and Successes obtain'd over the common Enemy in the last Campaign.

*The Commons Vote Thanks to the Duke of Marlborough.*

A. C.

1706.

His Grace's  
Answer :

Dec. 4.

A Bill or-  
der'd a-  
gainst  
House-  
Breakers.A Supply  
voted Dec.  
Estimates  
and Ac-  
counts or-  
der'd.The House  
of Commons  
Address of  
Thanks and  
Congratu-  
lation to  
the Queen,  
Dec. 5.

The Committee appointed by the Commons ha-  
ving, the next Day, attended the Duke, with the  
Thanks of that House, his Grace made this Answer:  
*If any thing could add to my Satisfaction in the Services  
I have endeavour'd to do to the Queen and my Country,  
it would be the particular Notice, which the House of  
Commons is pleas'd to take of them, so much to my Ad-  
vantage.*

The same day, the House of Commons being ac-  
quainted, that several Burglaries had of late been  
committed in and about the City of London, leave  
was given to bring in a Bill for the Encouraging the  
Discovery and Apprehending of House-Breakers.  
Then the House took the Queen's Speech into Con-  
sideration, upon which a Motion was made for a  
Supply to be granted to Her Majesty, which was  
put off till the next Morning. Accordingly, on the 5th  
of December, the Commons in a grand Committee,  
having consider'd the said Motion, unanimously re-  
solv'd, *That a Supply be granted to Her Majesty.* Mr. Henry  
Boyle, Chancellor of the Exchequer, having, the same  
day, acquainted the House that the Queen having (ac-  
cording to order) been waited upon, to know when  
she would please to be attended by that House, Her  
Majesty had appointed that Afternoon, at St. James's,  
the whole House, accordingly, attended Her Ma-  
jesty with the following Address :

Most Gracious Sovereign,

**WE** Your Majesty's most Dutiful and Loyal  
Subjects, the Commons in Parliament As-  
sembled, Return Your Majesty Our Humble  
Thanks for Your Most Gracious Speech from the  
Throne.

And with all Thankfulness to Almighty God,  
We Congratulate Your Majesty upon the Signal  
Victory Obtained by Your Arms, and those of  
Your Allies, under the Command of the Duke of  
Marlborough, at Ramillies: A Victory so Glorious  
and Great in its Consequences, and attended with  
such Continued Successes, through the whole Course  
of this Year, that no Age can Equal.

And as Your Majesty's Allies have shew'd their  
Firmness and good Disposition to Carry on the  
War with Vigour, so the Commons of England  
are

are Determined That no Specious Pretences of Peace shall Divert them from their Steady Resolutions of Enabling Your Majesty to Improve, in All Places, the Advantages of this Successful Campaign.

The Experience Your Commons have had of the prudent Administration, and the great Care and Management in the Application of the Publick Aids, Encourage Us to assure Your Majesty, That We will Chearfully give such Speedy and Effectual Supplies, as by the continuance of God's Blessing upon your Majesty's Arms, may Establish the Balance of Power in Europe, by a Safe, Honourable and Lasting Peace.

We beg Leave likewise to Return Your Majesty Our Hearty Thanks for Your Promoting the Union betwixt England and Scotland; whereby Your Majesty shews Your great Concern and Tenderness, not only for the Present, but the Future Happiness of both Kingdoms.

To this Address Her Majesty return'd the following Answer,

Gentlemen,

I Thank you heartily for this Address, and the Assurance of giving Me Effectual Supplies to carry on the War, and to obtain a Safe and Honourable Peace. *The Queen's Answer.*

I am glad to find you are so well satisfy'd with the Application of the Publick Money.

As to the Matter of the Union with Scotland, so in all other Things, I shall still be desirous to promote the Present and Future Happiness of my People.

The same † day the House of Peers did likewise attend the Queen with an Address, which, for the Nobleness of the Style, and Sentiments, was answerable to the Grandeur of the most illustrious Council of the Universe: It was as follows, *† Dec. 5th.*

May it please Your Majesty,

WE Your Majesty's most Dutiful and Obedient Subjects, the Lords Spiritual and Temporal in Parliament Assembled, with Hearts full of Joy, beg leave to Congratulate Your Majesty upon Occasion of the many great Successes obtained by Your Majesty's Arms, and those of Allies, in all Places during this Wonderful Year. We could not *The Lords Address to the Queen*  
C c Hope

A. C.  
1706.

‘ Hope for any thing more Glorious than the Opening  
 ‘ the Campaign by the ever Memorable Victory  
 ‘ gain’d at *Ramellies*, under the Command of Your Ma-  
 ‘ jesty’s Wife and Valiant General the Duke of *Marl-*  
 ‘ *borough* ; and nothing could be more Seasonable, at  
 ‘ the Close of the Campaign, than the Compleat Victo-  
 ‘ ry gain’d by the Duke of *Savoy* and Prince *Eugene*  
 ‘ before the Walls of *Turin*. The Illustrious Conse-  
 ‘ quences of these Two Battles made it impotible  
 ‘ for Your Enemies to disguise their Losses, and de-  
 ‘ monstrated to the World, that never any Generals  
 ‘ better understood how to make use of their Suc-  
 ‘ cesss. And if We Your Majesty’s Subjects should  
 ‘ not do all that lies in our Power, towards Improv-  
 ‘ ing the Advantages which the Divine Providence  
 ‘ has given to Your Majesty and Your Allies, We  
 ‘ should shew Our selves Unthankful to God, Inex-  
 ‘ cusable to Your Majesty, and manifestly Wanting  
 ‘ to Our Country, and the Common Cause of *Europe*.

‘ We cannot sufficiently express the Universal  
 ‘ Pleasure and Satisfaction of Your People, upon the  
 ‘ Publick Declaration which Your Majesty, in Con-  
 ‘ cert with the States General, made to the Mini-  
 ‘ sters of the other Confederate Princes, That no  
 ‘ Negotiations of Peace should be entred into but  
 ‘ in Conjunction with all the Members of the Grand  
 ‘ Alliance. This Generous Method will prevent the  
 ‘ Indirect and Dangerous Practices of the Common-  
 ‘ Enemy, will put a Stop to Clandestine and Corrupt  
 ‘ Transactions, and must not only remove all pre-  
 ‘ sent Jealousies from the Allies, but create in them  
 ‘ a Lasting Confidence and Relyance on Your Ho-  
 ‘ nour and Justice.

‘ Your Majesty’s Example, and that of the States  
 ‘ General, ought to Inspire all the other Allies with  
 ‘ a Noble Emulation of Acting with the like Vigor.  
 ‘ If any of Them have been Failing for the Time  
 ‘ past, We hope Your Majesty will find proper  
 ‘ Means to let Them see, That the only right A-  
 ‘ mends they can make to the Cause of Liberty, is  
 ‘ by Doubling Their Efforts, at this Important Con-  
 ‘ juncture.

‘ This will be the true way to obtain such a Peace  
 ‘ as all Good Men desire, which may Secure to Your  
 ‘ Majesty’s Subjects the Protestant Succession, and  
 ‘ all

all the Advantages of Trade and Commerce; may  
 Restore the whole Monarchy of Spain to King  
 Charles the Third; may Fix such a Barrier for the  
 States General ( in whose Security We must always  
 think the Interest of England is Engaged ) as may  
 be to their just Satisfaction; and may Procure such  
 Terms and Conditions for all the Allies, as may  
 be Just, Safe and Honourable; Such a Peace as may  
 be Durable and Lasting, by Reducing Effectually  
 the Exorbitant Power of a Prince, whose Restless  
 Ambition nothing could Satisfie, and who has al-  
 ways Despised the Obligations of the most Sacred  
 Leagues and Treaties.

A. C.  
 1706.

*Most Gracious Sovereign,*

We cannot omit to make Our most Thankful  
 Acknowledgments of Our Universal Happiness  
 under Your Just and Mild Government, of Your  
 true Zeal for the Safety and Honour of the Church  
 of England, of Your great Care for the Due Admi-  
 nistration of Justice, and Your tender Regard for  
 the Properties and Liberties of Your People: But  
 in a particular manner We must own, with all  
 Gratitude, Your Majesty's Wisdom and Foresight,  
 as well as Your Goodness, in Your Royal Endea-  
 vours to bring to pass an Intire and Compleat U-  
 nion of Your Two Kingdoms of England and Scot-  
 land. May God Almighty make these Your Gra-  
 cious Designs Successful, and may Your Majesty  
 long Reign over Us, to See the Happy Fruits of  
 them in the Safety, Tranquility, Wealth, Honour  
 and Flourishing Estate of Your Majesty's United  
 People.

Her Majesty's Answer to this Address was,

My Lords,

I Am very much Pleased with the many Expressions of  
 Your Affection for My Service, and of Your Zeal for the  
 Common Cause in the several Particulars of this Address,  
 which is intirely to My Satisfaction, and I Assure My  
 Self it will have its just Weight both at Home and A-  
 broad.

The Duke of Marlborough being, the same day,  
 come to the House of Peers, the Lord Keeper, by  
 Direction

A. C. Direction from their Lordships, made the following  
1706, Speech to his Grace :

*The Lord  
Keeper's  
Speech to  
the Duke of  
Marlbo-  
rough,  
Dec. 5.*

*My Lord Duke of Marlborough,*

**I** Am Commanded by this House, to give your Grace their Acknowledgment and Thanks for the eminent Services you have done since the last Session of Parliament, to Her Majesty and your Country, together with their Confederates in this just and necessary War.

Though your former Successes against the Power of France, while it remain'd unbroken, gave most reasonable Expectation, that you would not fail to improve them; yet what your Grace hath perform'd this last Campaign has far exceeded all Hopes, even of such as were most Affectionate and Partial to their Country's Interest and your Glory. The Advantages you have gain'd against the Enemy are of such a Nature, so Conspicuous in themselves, so Undoubtedly owing to your Courage and Conduct, so Sensibly and Universally Beneficial in their Consequences to the whole Confederacy, that to attempt to adorn them with the Colouring of Words would be vain and inexcusable, and therefore I decline it; the rather, because I should certainly offend that great Modesty which alone can and does add Lustre to your Actions, and which in your Grace's Example has successfully withstood as great Trials as that Virtue has met with in any Instance whatsoever; And I beg leave to say, that if any thing could move your Grace to reflect with much Satisfaction on your own Merit, it would be this, that so an August Assembly does with one Voice praise and thank you: An Honour which a Judgment, so sure, as that of your Grace's, to think rightly of every thing, cannot but prefer to the Ostentation of a publick Triumph.

His Grace's Answer to this Speech was,

*His Grace's  
Answer.*

**I** Esteem this as a very particular Honour which your Lordships are pleas'd to do me; no Body in the World can be more sensible of it than I am, nor more desirous to deserve the Continuance of your Favour and good Opinion.

The

The next \* Day the Commons agreed to the Resolutions taken by their Grand Committee, the day before, in relation to the Supply; and then order'd the several Estimates of the Ordinary of the Navy, Land-Forces, and Office of Ordnance for Land-Service for the Year 1707. to be laid before the House; as also Accounts of the particular Expences for the Ordinary of the Navy, for the last Year: Of the present Debt of the Navy: Of the Subsidies to Her Majesties Allies; of the Debt and Expences of the Office of Ordnance for the last Year, of the Number of Men employ'd in the Sea-Service in each Month, from the first of November, 1705. to the same Day, in 1706. of the Number and Rates of Ships employ'd in each Month, during that space of Time; of the Sums of Money arising from Prizes, since the last Account, and of their Application; of the Debt due for Transport Service, and of the Expences for that Office; and lastly, an Account where the several Ships of Her Majesty's Navy were victualled, and with the Produce of what Country.

The wonderful Successes of Her Majesties Arms abroad, were still crown'd by a signal Blessing at Home: For, at this Juncture, the unhappy Differences, which for several Years past, had divided the Two Houses of Convocation of the Clergy of the Province of Canterbury, were, in some Measure, reconciled; and both Houses agreed upon the following Address, which was presented to Her Majesty, on the 7th of December.

May it Please Your Majesty,

Address of

IT is a Happiness peculiar to Your Majesties Reign, that Your Subjects can, without any Suspicion of Flattery, wait upon Your Majesty every Year, with their humble Acknowledgments for the new Blessings they receive from Your Auspicious Government.

We are this Year particularly to Congratulate, not a single Victory, but such a Course of Wonderful Success, as can scarce be parallel'd in History; such as will make Your Majesties Reign Glorious to all Posterity, and we hope will reduce that Formidable Power, which has so long threatened Us, and the rest of Europe.

*The ANNALS of*

For the surprizing Success in the Beginning of this Campaign, we have already offer'd up our Solemn Thanks to Almighty God; and we shall with Hearts full of Joy Celebrate the Approaching Day of Thanksgiving for the Continuance of God's Mercy through the Course of the whole Year, which Your Majesty has most piously appointed.

We think it our Duty in the next place to return our humble Thanks to Your Majesty, whose Zeal for the Common Cause, whose Treasure and the wise Management of it, whose Fleets and Armies, and whose Great General the Duke of *Marlborough*, have given Life and Spirit to that Alliance, by which, under God, these great Things have been brought to pass.

We desire also with all Thankfulness to acknowledge the Blessings we Enjoy at Home under Your Majesties most Happy Government; that we are Free from those great Inconveniencies, that do too often attend Reigns so eminently Bless'd with Military Success; that our Laws have their Free Course; that Justice is equally Administred; that our Liberties and Properties are Secured; and above all, that our Religion and our Church are Supported and Encouraged both by Your truly Christian Principles and Your great Example.

Enjoying these Happy Advantages, we cannot but Acknowledge our Church to be in a Safe and Flourishing Condition under Your Majesties Administration; and we hope that, by the Blessing of God, You will be enabled to transmit it safe to Posterity, since You have so far humbled its greatest Enemy.

May our good God, who has hitherto made every thing so wonderfully to prosper in Your Hands, still continue His Gracious Care and Providence over Your Sacred Person; that You may effectually accomplish all Your great Designs for the Good of these Kingdoms, and after that be long Bless'd with a Peaceful Reign over an United, a Dutiful, and a Grateful People.



Her Majesty's Answer to this Address was,

My Lords, and the rest of the Clergy,

**I** Am very much Pleased with the Assurance of your Duty, *The Queen's Answer.*  
and Affection in this Address from the Convocation.

I hope it will have a very good Effect upon the whole Clergy, and all my Subjects in general.

I desire you to be assured, that I have nothing more at Heart, than to Preserve the Church of England as by Law Established in a Safe and Flourishing Condition.

The same \* Day, Mr. St. John, by her Majesty's \* Dec. 7.  
Orders, presented to the House of Commons the Estimates of the Guards, Garrisons and Land-Forces in England, Jersey and Guernsey, the Plantations, for Sea-service, and in the Low-Countries, for the year 1707. and, at the same time, Admiral Churchill presented the ordinary Estimate of the Navy for the same Year, both which were referred to the Committee of the whole House, who, the same day, came to the following Resolutions :

1. That 40000 Men be employ'd in the Sea-Ser- *Resolves of*  
vice for the Year 1707, including 8000 Marines. *the House*
2. That a Sum not exceeding 4 l. a Man, *per of Commons*  
Menſem, be allow'd for maintaining the ſaid 40000 *about the*  
Men for 13 Months, including the Ordnance for *Sea and*  
Sea-Service. *Land*
3. That a Sum not exceeding 120000 l. be al-  
low'd for the Ordinary of the Navy, for the Service  
of the Year 1707.
4. That a Sum not exceeding 357000 l. be  
granted to her Majesty, for the maintaining of  
Guards and Garrisons, and for payment of Inva-  
lids, for the Service of the Year 1707; including  
5000 Men to serve on Board the Fleet.
5. That the 40000 Men, which were raised to  
act in Conjunction with the Forces of her Maje-  
sty's Allies, be continu'd for the Year 1707.
6. That a Sum not exceeding 893706 l. 8 s. 6 d.  
be granted to her Majesty, for maintaining the  
ſaid 40000 Men for the Service of the Year 1707.
7. That the Additional Forces of 10000 Men,  
and her Majesty's Proportion of the 3000 Palatines  
*taken*

A. C. 'taken into her Majesty's Service the last Campaign,  
1706. 'be continued for the Year 1707.

And 8. 'That a Sum not exceeding 211762 *l.*  
16 *s.* 10 *d.* be granted to her Majesty, for main-  
'taining the said Additional Forces for the Service of  
'the Year 1707.

These Resolutions were reported to the House,  
and approved, on the 9th of *December*, when Mr.  
*Bridges* presented to the House the Debt and Expence  
of the Office of Ordnance for the Year 1706; as  
also an Estimate of the Charge of the said Office for  
the Year 1707. And the next † day the Commis-  
† Dec. 10. sioners of Transports presented an Account of the  
Expences, and a state of the Debt for Transport  
Service, to the 30th of *September*, 1706. with an Ac-  
count of the growing Charge *per Month*, all which  
were order'd to lie on the Table, to be perus'd  
by the Members of the House. The same day the  
Commons, in a grand Committee, Resolv'd, 1st.

Resolutions 'That towards the Supply granted to her Majesty  
for Gran- 'an Aid, not exceeding four Shillings in the Pound,  
ting 4 *s.* in 'to be rais'd in the Year 1707. be laid upon all  
the Pound, 'Lands, Tenements, Hereditaments, Pensions, Of-  
&c. 'fices and Personal Estates. And 2dly, That the  
'Duties upon Malt, Mum, Cider and Perry, gran-  
'ted by an Act of the first Year of her Majesty's  
'Reign, and continued by several subsequent Acts,  
'until the 24th of *June*, 1707. be farther continued  
'from the 23d of *June*, 1707. until the 24th day of  
'*June*, 1708. These Resolutions were reported,  
the 11th to the House, who order'd a Bill, or Bills,  
to be brought upon the same.

On the 16th of the same Month, Mr. Secretary  
*Harley* acquainted the House, 'That he was com-  
'manded by her Majesty to acquaint the House,  
'That her Majesty had appointed *Tuesday* the 31st  
'day of *December*, Instant, as a Day of General  
'Thanksgiving to Almighty God, for the Great and  
'Wonderful Successes with which God had Blessed  
'the Arms of her Majesty and her Allies in this  
'Year, and for imploring the Continuance of his  
'Blessings; and for the restoring and perpetuating  
'Peace, Safety and Prosperity to her Majesty and  
'her Kingdoms, and the Nations and States in Al-  
'liance with her: And for the greater Solemnity of  
'that

that day, her Majesty would go to St. Paul's Church; and that her Majesty had been pleased to give necessary Orders for providing convenient Places in the said Cathedral for the Members of the House. Hereupon it was resolved, that the Humble Thanks of the House be returned to her Majesty for her Gracious Favour in Communicating to the House her Intention of going to St. Paul's Church upon the day of Thanksgiving, and that they would attend her Majesty, as a House.

The next \* day, the House of Lords presented \* Dec. 17. the following Address to the Queen, in favour of the Duke of Marlborough.

WE your Majesty's most Dutiful and Obedient Subjects, the Lords Spiritual and Temporal in Parliament Assembled, having with much Satisfaction considered the many great Actions which the Duke of Marlborough has perform'd in your Majesty's Service, to the Honour of his Country, and for the Good of the Common Cause of Europe (such Actions as the Wifest and Greatest People have rewarded with Statues and Triumphs) are extremely desirous to express the just Sense we have of his Merit, in a peculiar and distinguishing manner, and in order to perpetuate the Memory thereof, to settle and continue his Titles and Honours, with his Right of Precedence in his Posterity, by Act of Parliament, as the Method most effectual for that end, and best suiting so great an Occasion: But yet having always a just Regard for the Prerogatives of the Crown, (your Majesty being the sole Fountain of Honour) we thought it our Duty, in the first Place, to have Recourse to your Majesty for your Royal Allowance, before any Order given for bringing in a Bill of such a Nature, and, at the same time, to desire your Majesty would be graciously Pleased to let the House know, in what manner it will be most acceptable to your Majesty, that the said Titles and Honours should be limited.

A. C.

Her Majesty's Answer to this Address, ran thus :

1706.

ANNE R.

*The Queen's  
Answer.*

Nothing can be more acceptable to Me than your Address. I am entirely satisfied with the Services of the Duke of *Marlborough*, and therefore cannot but be pleased you have so just a Sense of them.

I must not omit to take notice, that the respectful manner of your Proceeding in desiring my Allowance for bringing in the Bill, and my Direction for the Limitation of the Honours, does give Me great Satisfaction.

My Intention is, That after the Determination of the Estate, which the Duke of *Marlborough* now has in his Titles and Honours, the same should be Limited to his eldest Daughter, and the Heirs Male of her Body, and then to all his other Daughters successively, according to their Priority of Birth, and the Heirs Male of their respective Bodies, and afterwards in such manner as may effectually answer my Design, and yours, in Perpetuating the Memory of his Merit, by continuing, as far may be done, his Titles and Name to all his Posterity.

I think it would be proper, That the Honour and Manor of *Woodstock*, and the House of *Bleibheim*, should always go along with the Titles, and therefore I recommend that Matter to your Consideration.

Then the Duke of *Marlborough*, on this Occasion, spoke to the Lords in these Words :

My LORDS,

*The Duke  
of Marl-  
borough's  
Speech on  
that Occa-  
sion.*

I Cannot find Words sufficient to express the Sense I have of the Great and Distinguishing Honour which the House has been Pleas'd to do me in their Resolution, and their Application to her Majesty. The Thoughts of it will be a continual Satisfaction to me, and the highest Encouragement ; and the Thankful Memory of it must last as long as any Posterity of mine.

I beg leave to say a Word to the House, in relation to that part of her Majesty's most Gracious  
An-

Answer which concerns the Estate of *Woodstock*, and the House of *Bleinheim*; I did make my humble Request to the Queen, That those might go along with the Titles, and I make the like Request to your Lordships, That after the Dutcheſs of *Marlborough's* Death (upon whom they are settled in Joynrure) that Estate and House may be limited to go always along with the Honour.

Three Days \* after, a Bill from the Lords, entitled, *An Act for the settling the Honours and Dignities of John Duke of Marlborough, upon his Posterity, and annexing the Honour and Manor of Woodstock, and House of Bleinheim to go along with the said Honours,* was read three times by the House of Commons, and pass'd *Nemine Contradicente*. The next † Day, Her Majesty was pleas'd to give the Royal Assent to, *and the Commons being sent for up,*

*An Act for Granting an Aid to Her Majesty by a Land-Tax, to be raised in the Year 1707.*

*An Act for continuing the Duties upon Salt, Mum, Syder and Perry, for the Service of the Year 1707.*

*An Act for the settling the Honours and Dignities of John Duke of Marlborough, upon his Posterity, and annexing the Honour and Manor of Woodstock, and House of Bleinheim, to go along with the said Honours.*

*And an Act for the Naturalizing Maria Margaret Lady North and Grey.*

After which Her Majesty made the following Speech to both Houses :

My Lords and Gentlemen,

I Am Glad of this Occasion to repeat to You My great Satisfaction in Your several Addresses presented to Me in the beginning of this Session.

The Zeal and Affection which you express'd in them for My Service, and the Common Cause of Europe, cannot fail of being a great Encouragement to all our Allies.

The particular Notice which you have taken of the Eminent Services of the Duke of Marlborough, is also very agreeable to Me; and I make no Question but it will be so to the whole Kingdom.

A. C.

1706.

Gentlemen of the House of Commons,

*I am to thank you in a very particular manner, for the more than usual Dispatch of the Bills of Supply, with which you have now presented Me.*

*This will enable me to put all Our necessary Preparations for next Year into a great Forwardness, and must needs have a very good Effect for improving the Advantage of the last Campaign.*

My Lords and Gentlemen,

*I suppose you will think it convenient to make some short Recess during the Holidays.*

*The Zeal and Unanimity You have already shewn, are a sufficient Assurance to Me, That You will all return in the same good Temper and Disposition, to dispatch what remains of the Publick Business.*

*The Speaker  
of the House  
of Commons's  
Speech to  
the Queen.*

Upon presenting the Acts towards the Supply, the Speaker of the House of Commons made a Speech to her Majesty, importing, 'That as the Glorious Victory obtain'd by the Duke of Marlborough at Ramillies' was so surprizing, that the Battle was fought before it could be thought the Armies were in the Field; so it was no less surprizing, That the Commons had granted Supplies to Her Majesty before Her Enemies could well know that her Parliament was Sitting. After this both Houses adjourn'd, the Lords to the 30th and the Commons to the 31st. of the same Month; the latter having voted an Address of Thanks to the Queen, for her most Gracious Speech from the Throne.

*Both  
Houses ad-  
journed.*

*The Stan-  
dards and  
Colours  
taken at  
Ramil-  
lies, car-  
ried with  
Solemnity  
to Guild-  
hall.  
Dec. 19.*

Her Majesty having been pleas'd, at the Request of the City of London, to order, That the Standards and Colours taken at the famous Battle of Ramillies, which were lately brought from the Netherlands should be put up in Guild-Hall, a Detachment of her Majesty's Horse Guards and Horse Grenadiers, and a Battalion drawn out of both Regiments of Her Majesty's Foot Guards, were drawn up on the Parade in St. James's Park on the 19th of December, and having receiv'd the said Colours and Standards, which had been laid up at Whitehall they proceeded in the following Manner: First, the Troop of Horse Grenadiers, then the Detachment of the three Troops

Troops of Her Majesty's Horse Guards, 26 of the Gentlemen in the Center, carrying each a Standard taken from the Enemy. The Battalion of Foot Guards closed the March, 63 of the Pike-men, instead of their Pikes, each carrying one of the Enemy's Colours advanced. In this manner they march'd through the Park and St. James's Mews, where Her Majesty was pleas'd to see them pass by, from the Rt. Hon. the Lady Fitzharding's Lodgings, the Guns in the Park being fired at the same time. Thence they proceeded down the *Pall-Mall*, the *Strand*, &c. to *Guild-hall*, where the said Standards and Colours were put up, to remain there as Trophies of that signal Victory, wherewith it pleas'd Almighty God to bless the Arms of Her Majesty and Her Allies, under the Conduct of his Grace the Duke of *Marlborough*; and as a lasting Monument of the immortal Honour gain'd by Her Majesty's Arms on that memorable Day. The Duke of *Marlborough*, having been invited by the Lord Mayor and Court of Aldermen to dine with them in the City, his Grace went thither the same Day about Noon, accompanied by the Lord High Treasurer, and the Dukes of *Somerset* and *Ormond*, in one of her Majesty's Coaches, and was followed by a Train of other Coaches, in which were several of the Nobility, the Foreign Ministers, and other Persons of Quality, with the Generals and other chief Officers of the Army. They were received at *Temple-Bar* by the City-Marshal, and were conducted to *Vintner's-Hall*, where a splendid Entertainment was provided for them; and they were follow'd both going and coming with great Acclamations from the People.

Towards the middle of *December*, the Queen was pleas'd to create *Henry* Earl of *Kent* Lord Chamberlain of Her Majesty's Household, Viscount *Goderich* motions of in the County of *Hereford*, Earl of *Harrold* in the County of *Bedford*, and Marquis of *Kent*.

Not many Days after, it was declar'd that Her Majesty had also been pleas'd to create *Robert* Earl of *Lindsey*, Lord Great Chamberlain of *England*, a Marquess of this Kingdom, by the Name and Title of Marquess of *Lindsey* in the County of *Lincoln*, *Evelin* Earl of *Kingston*, a Marquess of this Kingdom, by the Name and Title of Marquess of *Dor-*

## The ANNALS of

*chester* in the County of *Dorset*. *Thomas Lord Wharton* a Viscount and an Earl of this Kingdom, by the Names and Titles of Viscount *Winchindon* in the County of *Bucks*, and Earl of *Wharton* in the County of *Westmorland*. *John Lord Poulett* of *Hinton St. George*, a Viscount and an Earl of this Kingdom, by the Names and Titles of Viscount *Hinton St. George*, in the County of *Somerset* and Earl *Poulett*. *Sidney Lord Godolphin*, Lord High Treasurer of England, a Viscount and an Earl of this Kingdom, by the Names and Titles of Viscount *Rialton* and Earl of *Godolphin* in the County of *Cornwall*. *Hugh Lord Cholmondely* a Viscount and an Earl of this Kingdom, by the Names and Titles of Viscount *Malpas* and Earl of *Cholmondely* in the County of *Chester*. *Henry Lord Walden*, Son and Heir Apparent of the Rt. Hon. *Henry* Earl of *Suffolk*, a Baron and an Earl of this Kingdom, by the Names and Titles of Baron of *Chesterford* in the County of *Essex*, and Earl of *Bindon* in the County of *Dorset*. The Lord Keeper a Peer of this Kingdom, by the Name and Title of *William* Lord *Cowper*; Baron of *Wingham* in the County of *Kent*. And, Sir *Thomas Pelham* Bar. a Peer of this Kingdom, by the Name and Title of Lord *Pelham*, Baron of *Laughton*, in the County of *Sussex*.

Thanksgiving observed,  
Dec. 31.

The Queen having, by Proclamation, appointed a General Thanksgiving to be observ'd on the last Day of the Year 1706 (according to the *Gregorian* Stile) for the wonderful Successes of Her Majesty's Arms, and those of her Allies the last Campaign: Her Majesty went to the Cathedral Church of *St. Paul's*, attended by both Houses of Parliament, the Great Officers of State, the Judges, and other publick Officers, with the same Solemnity and Ceremonies as were used before, after the Victory gain'd at *Ramillies*: So that Her Majesty gave Her Subjects the joyful Spectacle of Two Triumphs in one Year. The Bishop of *Salisbury* preach'd before Her Majesty, his Text being 72d. *Psalms*, 4th. Ver. on which he made an excellent Sermon, pathetically enforcing the Necessity of carrying on the War against *France* with all possible Vigour. The same Day, both Houses of Parliament adjourn'd themselves to the 7th of *January* next.

The Parliament further adjourned to the 7th of January.

Let



Let us make use of that Interval, to bring the Session of the *Scotch* Parliament to a Period. On the 3<sup>d</sup> of *December*, after the reading of several Addresses, against an Union in the Terms of the Treaty, the Council of Trade was order'd to meet, and to give in their Observations, as to Export and Import, and Balance of Trade to the Committee, to whom the 6<sup>th</sup> and 8<sup>th</sup> Articles, were refer'd. Then the 9<sup>th</sup> Article of Union was read, and after reasoning there-  
*Proceedings of the Parliament.*

on, it was mov'd, That six Months Cess should be the Quota of the Tax to be impos'd on *Scotland*, in place of eight Months agreed to by the said Article, and after Debate thereupon, a Vote was stated, Approve of the 9<sup>th</sup> Article, or not, and thereupon a second state of a Vote was offer'd, viz. whether 6 Months Cess or 8 Months Cess, should be the Quota of the Tax, to be charg'd on *Scotland*. Then the Vote was put, which of the two should be the state of the Vote, first or second, and it was carried first by 62 Voices. Whereupon it was put to the Vote, Approve of the said Ninth Article or not, and it was carried Approve. The Tenth, Eleventh, Twelfth and Thirteenth Articles of Union were afterwards severally read, and separately Voted and Approved, *nemine contradicente*. Then the 14<sup>th</sup> Article was read, and the Consideration thereof delay'd till next Sitting. The same Day, an Act, for adjourning the Session or Term, to the first Day of *January* next, and continuing the sitting thereof from the last of *February* to the last of *March* next, inclusive, was touch'd with the Scepter by her Majesty's High Commissioner in the usual manner.  
*The 9<sup>th</sup> 10<sup>th</sup>, 11<sup>th</sup> 12<sup>th</sup> and 13<sup>th</sup> Articles of Union approved Dec. 3.*

Two Days\* after, the 14<sup>th</sup> Article of Union was again read, and an Amendment and Addition thereto was offer'd in these Terms, *And that the part of the United Kingdom now called Scotland, shall not in all time coming, be charged with any Malt-Tax, or any other Customs, Excises, Taxes, or any other Burdens or Duties than those consented to in this Treaty.* After some Reasoning upon the first part of the said Clause, in relation to the Malt-Tax, it was propos'd that the Amendment should be in these Terms, *with this further Provision, That any Malt to be made and consum'd within that part of the United Kingdom now called Scotland, shall not be charg'd with any Imposition on Malt during this present War :* After some Further debate,  
*\* Dec. 4.*  
the

A. C. the Vote was stated, whether the *Exemption* from any Imposition on Malt should be *Temporary* or *Perpetual*? and it was carried *Temporary*, by 32 Voices; after which it was propos'd that the *Exemption* should be during this present War. It was also propos'd that the *Exemption* should be for a longer time: And after Debate thereon the Vote was stated, *whether the Exemption from any Imposition on Malt, should be during this present War, or for a longer time*, and it was carried, during this present War by my Lord Chancellor's casting Vote. Then the Article as amended, was again Read, and the further Consideration thereof delay'd till the next † day, when the 14th Article, as amended, was approv'd, by a Majority of 38 Votes.

† Dec. 6th  
The 14th  
Article ap-  
prov'd.

Report of  
the Com-  
mittee for  
Calculat-  
ing the  
Equivalent

On the 7th. of the same Month, the 15th Article was read; and afterwards the first Clause or Paragraph thereof was again read, as also the Report brought in from the Committee for examining the Calculation of the Equivalent, being as follows: The Committee of Parliament to whom the Consideration of the Calculation of the Equivalent was referred having consider'd the Report made to them by Dr. James Gregory Professor of the Mathematicks of the College of Edinburgh, and the Report made by Doctor Thomas Bower, Professor of the Mathematicks in the College of Aberdeen, of their several Examinations of the Calculation and Grounds thereof, whereupon the Commissioners in treating the Article for establishing the Equivalent did proceed; And also, having consider'd the Report of the Sub-committee, they find, that the Computation of the Equivalent mentioned in the Article is just, and the Calculation exact, and well founded in the Terms, and in manner exprest in the said Article: Hereupon, it was propos'd to delay the Consideration of the said 15th Article, until Reports be brought in Relation to the 6th and 8th Articles from the Committee to whom the said Articles were referr'd: And after Debate thereupon it was agreed, That the Proceeding on the 15th Article should not be understood to be any Determination of the 6th or 8th Articles that stood committed; but that the Reasoning and Voting on the 6th and 8th Articles, should be intire. Then a state of a Vote was offered in these Terms, *approve of the first*

Para-

Paragraph of the 15th Article, or not. But it being mov'd, that the Parliament first consider, whether the Scots should be concerned in the Payment of the English Debts, a second State was thereupon order'd, whether they should engage in the Payment of the Debts of England, yea, or not? After some reasoning thereupon, it was put to the Vote, which of the two should be the State of the Vote, first or 2d. But before Voting, the Lord Beilhaven gave in a Protest as follows. 'I do protest in my own Name, and in the Name of all those who adhere to this my Protest, That the Voting and Agreeing to the first Clause of the 15th Article of the Treary of Union, do no ways infer any manner of Consent or Agreement, that Scotland, be liable to the English Debts in general: but that it may be lawful to object against any Branch of the said Debt not already determined, and he took Instruments thereupon, and adher'd thereto. Then the Vote was put, first or second, and it was carried first by 71 Voices. After which it was put to the Vote, approve of the first Clause or Paragraph of the 15th Article, or not, and it was carried Approve by 115. This done, her Majesty's High Commissioner, and the Estates of Parliament, did recommend the Persons imploy'd in the Calculation of Equivalent by the Committee, to the Lords of her Majesty's Treasury, for a Gratification for their Pains. The same \* day, Lieutenant Colonel James Campbell who was order'd to march to Glasgow, with the Troops under his Command, brought from thence to Edingburgh, Two of the Ring-leaders of the Rioteers, the one a Malster, formerly a Serjeant in Dumbarton's Regiment, and the other one Montgomery. As they were carrying to the Castle of Edingburgh, some of the Mobb attempted to rescue them; but Mr. Campbell running their Leader through the Shoulder, with his Sword, they were immediately dispers'd, and the Glasgow Mutineers secured.

The Lord Beilhaven's Protest against the Scots being concern'd in Payment of English Debts.

The 1st Clause of the 25th Article approv'd.

Dec. 7th  
Mr. Campbell Secures Two of the Glasgow Rioteers.

The Soberer, and greater part of the Scottish Clergy were sensible, That the Violent Methods, which by the Countenance and Instigation of some of their Brethren, were used to thwart the Union, would redound to the general Reproach of their Church; and therefore the Commission of the General Assembly, thought fit to send the following Circular

A. C. † Letter to the several Presbyteries of the Kingdom:  
1706.

† Dated  
Edin-  
burgh 6.  
*The General  
Assembly's  
Letter to  
the Presby-  
teries of  
Scotland,  
against Tu-  
mults.*

*Reverend and Dear Brethren,*

THE General Assembly of this Church having appointed us to take Care, that it suffer no Prejudice, through Neglect of due Application to the Honourable Estates of Parliament, or any other Judicatory concerned in the Management of Publick Affairs; we have in this juncture, wherein a Treaty of Union, with the Neighbouring Kingdom is under deliberation, before the Representatives of our Nation, endeavoured, and are still endeavouring to exoner our Consciences, in doing what we judge Incumbent upon us, for securing the Doctrine, Worship, Discipline, Government, Rights and Privileges of this Church, as now, by the great Goodness of God, the same are established among us: And being informed of Disorders and Tumults in some parts of the Country, which the Enemies of our present happy Establishment may be ready to improve, tho' without Ground, to the Disadvantage and Reproach of the Church, We do look upon it as our Duty, to recommend to all our Brethren, that as they have in their Stations Access, they do discountenance and discourage all Irregularities and Tumults, that tend to disturb the Government of our Gracious Sovereign the Queen, to whom we are in Gratitude, as well as Duty, under the highest Obligations; seeing in the kind Providence of God, We, by her good and wise Management, enjoy so many Advantages, and upon whose Preservation our Peace, and the Security of all that's Dear to Us, do under God, much depend. This, in Name, and by Order of the Commission of the General Assembly of this National Church, is subscribed  
by  
R. D. B.

Your Affectionate Brother, and  
Servant in the Lord,

*William Castairs, Mod. Pro Tempore.*

To this Letter, the Presbytery of *Hamilton*, which was the most busy against an *Incorporating Union*,  
and

Queen ANNE's Reign.

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and \* presented an earnest Address to the Parliament, A. C.  
to that purpose, return'd the following Answer.

1706.

Bothwell, Decemb. 17. 1706.

Dec. 11.

R. D. B.

Y Our Letter signed by the R. Mr. Castairs, Moderator *pro Tempore*, we received this Day, being our first Meeting, after its Date of the 6th Instant; wherein there is mention of your being informed of Disorders and Tumults in some Parts of the Country, which you recommend unto us to discountenance and discourage as we have Access.

We know there have been many Reports spread abroad of Tumults, and Disorders, not only in Glasgow, which is too true, but in other Places within the Shire of Lanerk; which, as to the Bounds of our Presbytery, are grossly false: And we have reason to believe them to be so likewise, as to the rest of the Shire. We have heard also of some calumnious Stories industriously disseminated, concerning some of our Number, with respect to these pretended Disorders, which are not only contrary to Truth, but to Common Sense. We wish the Forgerers and Spreaders may be forgiven. They act in this neither the Part of good Christians, nor of good Subjects.

As to the Disposition of the People, the plain Truth is, that they are generally most averse from the Union; and many have expressed themselves broadly enough against it, as what they fear may prove an irremediable Evil, if it should be concluded, wishing that some stop might be put to it: And we have not been wanting, as there was Occasion, to advise and exhort the People to Calmness and Regularity, and to refrain from any undue Keeness that might be in their Words. But we must say, that it is utterly false and malicious to suggest, that there hath been the least Tumult to irregular Practice among them, since this Union came in Question, far less any Shadow or Appearance of any undutiful or disloyal Thought of her Majesty. Yea, there has not been so much as the least Motion towards their accustomed ordinary Rendezvous, warranted by Law, since the publishing of a Proclamation and Act, forbidding

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the

A. C.

1705.



the same. It's true, that some of those rash Youths who broke out from *Glasgow*, passed through our Bounds, but they were not allowed to make any Stay, nor received the least Encouragement at any hand, for ought we know; so that we can well assure the R. Commission, there is as much Peace and Quiet within the whole Bounds of this Presbytery, as in any Place of the Kingdom.

We have heard with much Satisfaction, of the Zeal which the R. Commission hath shewed by their Addresses (mentioned in your Letter) for the Interests of the Church at this time, when they are in so eminent hazard. And we have testify'd our Concurrence therewith by our Address to the Parliament: But we are still of Opinion, that the pressing Necessity of the present Juncture, and the manifest Impossibility (in the Event of such an Union, as is moulded in the Treaty) of securing this Church in any of her precious Concerns, now Established by the Laws and Constitution of our own Government and Kingdom, doth not only require the Continuance of assiduous Application to the Right Honourable Estates of Parliament: But likewise, that the Commission, in Name of this Church, testify against the concluding of any Union with *England*, upon the Foot of this Treaty, till the General Assembly of this National Church, according to her undoubted Right, as we have shewed in our Address, be Called and Allowed to consider of Solid and Essential Securities for the Church in such an Exigence. This we humbly think, the Trust reposed in the Commission, and Faithfulness to the Church of *Scotland*, both in the present and succeeding Generations, doth undeniably demand. Thus heartily Recommending you to Divine Conduct and Assistance. We rest

R. D. B.

For the Right Reverend, *Your most affectionate Brethren*  
the Moderator, and rem- *and humble Servants in the*  
nant Members of the *Lord, the Ministers of the*  
Commission of Gene- *Presbytery of Hamilton,*  
ral Assembly at *Edin-* *Subscribed in their Name,*  
*bu gh.* *and by their Order, by*

Alex. Findlater Moderator.

The

Queen A N N E's Reign.

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The Address of the said Presbytery, before-mentioned, was as follows:

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Unto his Grace, Her Majesties High Commissioner, and the Right Honourable the Estates of Parliament, the Humble Address of the Presbytery of Hamilton.

Sheweth,

**T**HAT we heartily concur with the Address of the General Assembly to your Grace and Lordships; and do believe that there is a full Unanimity there in amongst the Ministers of this National Church, both as to the Matter of these Addresses, and in their humble and earnest Desires, that the Honourable Estates of Parliament may take them into further Consideration, to prevent the Fears and Dangers of this Church that may insue from an Incorporating Union with *England* in the Terms of the Treaty offer'd to the Parliament.

But that which more especially obliges Us in Duty and Conscience, as Ministers of the Gospel of Peace, most humbly to Interpose with your Grace and Lordships, is the Lamentable and Distracted State of the Kingdom; and particularly the People under our Pastoral Charge, from the sad Apprehensions they have, and have expressed in their several Addresses to the Parliament, of the Woeful Effects, and Consequences of such an Union, to their Liberties, both Civil and Religious, and that it cannot be entred into by the Nation in the Terms without incurring the Guilt of National Perjury: And tho' hitherto we have endeavoured to keep them from breaking out, yet the Ferment and Dissatisfaction doth so increase amongst all, that we are justly afraid of what these things may turn unto.

We do therefore (after serious Supplication at the Throne of Grace) most earnestly implore, and with Humility beseech in the Bowels of our Lord Jesus Christ, That your Grace and Lordships may compassionate the trembling State of this Nation, and listen, as it were, to their dying Groans: God having put it in your Hands to allay their Fears, avert their Dangers, and prevent the

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' dreadful Confusions that threaten this Land, by  
' laying aside this *Incorporating Union* with Eng-  
' land, as offered in the Treaty, and by supplica-  
' ting her most gracious Majesty (for whose long  
' and happy Reign over us, we do, and always  
' shall most heartily pray, and upon whose Royal  
' Assurances in behalf of this Church, we do most  
' cheerfully rely) that the Protestant Succession  
' to the Sovereign and independent Crown of this  
' Kingdom, may be settled by an Act of our own  
' Parliament: And that no *Incorporating Union*  
' with *England*, may be concluded until her Ma-  
' jesty shall be pleased to call the General Assembly  
' of this Church; which being the National Church  
' establish'd by Law, and founded on the Nations  
' Claim of Right, hath an undoubted Right to be  
' consulted about her own Securities, before any  
' such Union be entred into with a Government of  
' another Communion, where that Government is  
' to be in a manner sole Master of the whole Admi-  
' nistration.

' These things we most humbly beg of your  
' Grace and Lordships, as our Protectors and Pa-  
' trons under God, beseeching you to hearken unto  
' us, that God may hearken unto you, and give  
' you Peace and Comfort in the Day of your Ac-  
' counts.

Several o- The same day, ( *December 11.* ) the Parliament  
ther Ad- receiv'd and read the Addresses of the Presbytery of  
dresses a- *Dumblain*; of the Parishes of *Capath, Letbendy, Alyth,*  
gainst an *Kynloch, Errol, Kelspendie, Kinnaird, Irichscure, Lang-*  
Union. *forgan, St. Madois, and Kinsanus, in Perthshire*: of the  
Parish of *Logie*; and from the Parishes of *Arith, Lar-*  
*lert, Dumpicce, and Pemice*, all against an Union in the  
Terms of the Articles.

† Dec. 10. The preceding † Day, after the Reading Two Ad-  
dresses against the Union, the Parliament read again  
the 6th Article of the Treaty, as also part of the Re-  
port of the Committee to whom the same was re-  
ferr'd, which was approv'd by a great Majority.

On the 11th, 12th, 14th and 16th of *December*,  
the remaining Parts of the Committee's Report, con-  
cerning *Premiums* and *Drawbacks*, on *Scotch* Com-  
modities, and other Matters, were examined and de-  
bated



bated; and, at last, the 6th Article was approved with several Additions and Explanations. A. C. 1706.

On the 12th of December, the Parliament order'd, That a scurrilous Paper, entituled, *Queries to the Presbyterians, Noblemen, Barons, Burgeffes, Ministers, and Commoners in Scotland, about the Scheme of an incorporating Union with England, in the Terms of the Treaty agreed to by the Commissioners of both Nations,* be burnt by the Common Hangman, and refer'd to the Committee to make Inquiry after the Printer, Author and Publisher of that Libel. The 14th two States of a Vote were propos'd, the first in these Terms, *Approve of the first Paragraph of the 15th Article of Union or not;* And the second in these Terms, *whether we shall engage in the Payment of the Debts of England, yea, or not?* and the Vote was thereupon put, whether the first or the second should be approved. Dec. 16. The 6th Article approved. A Scandalous Paper order'd to be burnt.

The 14th two States of a Vote were propos'd, the first in these Terms, *Approve of the first Paragraph of the 15th Article of Union or not;* And the second in these Terms, *whether we shall engage in the Payment of the Debts of England, yea, or not?* and the Vote was thereupon put, whether the first or the second should be approved. Dec. 12. The 1st Clause of the 15th Article approved. State of the Vote, and it was carried first. The Members as they voted were, for the first, The Marquis of Montross, P. S. C. D. of Argyle, Marquis of Tweeddale, Marquis of Lothian, 25 Earls, 12 Lords, 43 Barons, and 37 of the Boroughs: For the second, Duke of Hamilton, Duke of Athol, Marquis of Anandale, 5 Earls, 2 Viscounts and 1 Lord, 19 Barons, and 12 of the Boroughs. Then the Vote was stated *Approve of the first Clause or Paragraph of the 15th Article of Union, yea, or not;* and it was carried Approve. The Approvers were the Marquis of Montross, Duke of Hamilton, Duke of Argyle, Marquis of Tweeddale, Marquis of Lothian, 26 Earls, 13 Lords, 52 Barons, 44 of the Boroughs. The No's were Duke of Athol, 3 Earls, 1 Viscount, 5 Lords, 9 Barons, and 8 of the Boroughs.

Two \* Days after, another Scurrilous Paper, *Asserting the Dependency of the Crown and Kingdom of Scotland, upon the Crown and Kingdom of England,* was brought into the House, and several Paragraphs thereof, being read, the said Libel was order'd to be burnt by the Common Hangman. The same Day, the 8th Article of the Treaty was read, together with part of the Committee's Report relating to it; the particular Consideration of both which, took up the Parliament's Time in the Sitzings of the 17th, 18th, 19th, 20th, 22d, 23d, 24th and 26th of December, upon which last Day, the 8th Article, with the se- \* Dec. 16. Another Scarrilous Paper order'd to be burnt. The 8th Article approved.

A. C. 1706. veral Clauses and Explanations added to it, was approved by a Majority of 53 Voices. The same day, the 2d, 3d, 4th, and 6th Clauses of the 15th Article of the Treaty were read and approved, but the 5th Clause was order'd to be struck off, as being determined by the 8th Article.

The next \* Day the Lord Chancellor acquainted the House, 'That notwithstanding the several Ad-  
 \* Dec. 27. dresses brought in and presented to the Parliament  
*Complaints of Letters dispers'd, to invite the Subscribers to Addresses to assemble at Edinburgh.*  
 against an *Incorporating Union with England*, in the Terms of the Articles, had been under due Consideration, during the whole deliberate Proceeding upon the Articles of Union, yet there was Information that Letters were sent thro' several Corners of the Kingdom, desiring the Subscribers of those Addresses to come in, and assemble at *Edinburgh*, upon pretence of waiting the Effect of the said Addresses, and of knowing what Return the Parliament would give them; all which he was directed by his Grace her Majesty's High Commissioner, to lay before the Parliament, that proper Measures might be resolv'd upon, for preventing any evil Consequences from such Practices. After some Discourse thereon, a Proclamation was brought in and read, *against all such Meetings and Gatherings of the Subjects, as unwarrantable and contrary to Law*: And after further Discourse, as to the grounds of the Informations, my Lord High Commissioner was pleased to notify to the Parliament, 'That he had Information from several corners of the Kingdom, of the great Pains and Methods which had been used to procure Subscriptions to Addresses, and to call in to *Edinburgh*, the Subscribers against a Set Day to back those Addresses. After Debate upon the Draught of the Proclamation, the Vote was stated, *Approve of the same or not*: But before Voting, *George Lockhart of Carnwath* gave in the following Protestation, 'I *George Lockhart* do protest, for my self, and all others, who shall adhere to this my Protestation, that this Proclamation now offer'd to be emitted, Discharging Barons and Freeholders, and Heretors within the Kingdom to come to *Edinburgh* in time of Sitting of Parliament, shall no ways prejudice the Rights and Privileges of the Barons and Freeholders of this Kingdom, competent to them by the Laws of the Nation. which  
 ' being

*A Proclamation against Seditious Meetings.*

being read, he took Instruments thereupon, and most of them that voted in the Negative, adhered to this Protestation. Then the *Proclamation, discharging unwarrantable and Seditious Convocations and Meetings*, was approved by a Majority of 112 Voices against 62; and the same being publish'd, had the desir'd Effect.

On the 30th of December the Parliament read the 7th and last Clause of the 15th Article, about the Application of the Equivalent, and the Representation of the *African Company*, setting forth in Substance, 'That the Sum propos'd to be paid to them out of the Equivalent, was not adequate to the great Losses and Damages they had already sustain'd; and to the taking away so many valuable Privileges, as they now enjoy'd, the Benefit of which, must, of Course, accrue chiefly to the *English East-India Company* : But after some Debate, the 15th Article, as alter'd and amended, was approv'd by a Majority of 60 Votes. The next Day, the 16th Article with an Amendment, and the 17th without any, were unanimously approved. Then the 18th Article being read, it was moved that the following Clause be added to the same, viz. 'And that in making any such Laws, especial regard be had to Overtures to be presented to that Parliament by the Lords of the Sessions of *Scotland*. After Reasoning, another Overture was offer'd for adding this Clause, viz. 'That all *Scotch-men* be exempted from the *English* Sacramental Test, not only in *Scotland*, but in all places of the United Kingdom and Dominions thereunto belonging, and that they may be declared capable of Offices throughout the whole without being oblig'd to take the said Test. But it was represented, That it was not now entire to add the said Clause about the Test, because of the Vote of Parliament of the 12th of November last, against adding the like Clause. After further Debate it was agreed, that the same should be put to the Vote, and that the List of the Members Votes be printed and recorded. Hereupon the Vote was put, whether it was intire to add the Clause, or not, and it was carried in the Negative by 34. Then the Vote was put, Approve of the 18th Article, or not, and it was carried Approve by 50.

*Representation of the African Company.*

*The 15th Article approved.*

*The 16th and 17th Articles approved.*

*The 18th Article approved.*

A. C.  
1706.

*Act pass'd  
for Ad-  
journing  
the Term  
to the 1st  
of Febru-  
ary.*

† Jan. 3d.

*The 19th.  
Article ap-  
prov'd.*

Jan. 6th.

*The 20th.  
and 21st  
Articles  
 approv'd*

Jan. 7th.

*The 22d.  
Article  
Debated.*

On the 2d of *January*, the Parliament pass'd an Act for adjourning the Session or Term one Month longer, and then proceeded on the 19th Article, to the first Clause whereof they agreed with a Stipulation, that the Lords of the Session should, for the future, be taken from among the Advocates and Writers to the Signet ( which was carried by 13 Votes only ) and none to be deem'd capable that have not practis'd the Law at least 5 Years for the former.

The next † Day, a Motion was made for an additional Clause, in relation to the Qualification of Writers. *viz.* " With this Provision, that no Writer to the Signet be capable to be admitted Lord of the Session, unless he undergo a private and public Trial in the Civil Law before the Faculty of Advocates, and be found by them qualified for the abovesaid Office, two Years before they shall be named to be a Lord of the Session. After reasoning, the Vote was stated, add, or not : But before Voting, it was moved, that the Qualifications made, or to be made for capacitating Persons to be named ordinary Lords of Session, shall be alterable by the Parliament of *Great-Britain*; and after Debate it was put to the Vote, and carried alterable by 60. Then the Vote was put add the Clause about the Qualification of Writers, and it was carried, *add.*

The other Clauses of the 19th Article being read, and debated, the whole, as amended was approv'd. The 4th of *January* was bestow'd upon private Affairs; for which, the Lord Chancellor, by Order of the High Commissioner, acquainted the House, that Two other Days should be appointed in this Session. On the 6th of the same Month, The 20th. Article, with the Addition of the Word *Superiorities*, and the 21st. without any Amendment, were approved; and the \* next Day, the 22d Article was read; and afterwards the first Paragraph in relation to the number of Representatives for *Scotland* in the Parliament of *Great-Britain*, was read over again. After a long Debate a Vote was stated, Approve of the first Paragraph of the said Article, or not; but before Voting it was agreed, that the Names of the Members as they Voted be Printed and Recorded; and *George Lockhart of Carnwath*, Duke of *Atbol*, Earl of *Buchan*, Earl of *Errol*, Earl *Marischal*, and

*Walter*

## QUEEN ANNE'S REIGN.

Walter Stewart for the Town of Linlithgow, gave in 6 several Protefts, and took Instruments thereof fe-parately. Then the Vote was put Approve of the first Paragraph of the 22d Article, or not, and it was carried approve by 40. The second Paragraph of the said Article, about the calling the Representatives from Scotland to the Parliament of Great-Britain, beginning thus, (*' And that when Her Majesty, &c.*) and ending thus, (*' That the Names of the Persons so Summoned, and Elected, shall be return'd by the Privy Council of Scotland, into the Court from whence the said Writ did Issue,*) was again read; and after some Debate, an Amendment was offer'd to be added, after these Words, (*according to the Agreement in this Treaty*) viz. *' In such manner, as by a Subsequent Parliament Act, of this present Session of the Parliament of Scotland shall be settl'd, which is hereby declar'd to be also Voted, as a part of, and Engros'd in this Treaty;* And after further Reasoning, it was mov'd, That the way and manner of chosing the Representatives for Scotland, to the Parliament of Great-Britain, be determined; and that a Clause to that purpose be engros'd in this Article, after Debate the Vote was stated, *Approve of the second Paragraph of the 22d Article, as amended by the above additional Clause, yea, or not;* whereupon it being mov'd, to delay the said Vote till next Sitting of Parliament, a previous Vote was stated, *Proceed, or Delay,* and it was carried *Proceed.* Then it was put to the Vote, *Approve of the said 2d Paragraph of the 22d Article with the Amendment in the additional Clause above inserted, or not.* The Clause with the Amendments being again read, the Earl of Abercorn gave in a Protest, and took Instruments thereupon. At last, the Vote was put, *Approve, or not,* and it was carried *Approve.*

The Earl of Stair, who had all along stickled for the Union, and tho' much indispos'd, was come that day to the Parliament-House, was taken so ill that very Night, that he died in few Hours, being generally lamented by all the Well-affected to her Majesty's Government, and the Common-Cause, for both which he shew'd a distinguish'd Zeal, on all Occasions. He was very instrumental in the late Happy Revolution; and for some time discharg'd the Office

A. C. fice of Secretary of State in Scotland with great Integrity. He was succeeded in Honour and Estate by his Son the Lord John Dalrimple, now Earl of Stair.

On the 8th of January, it was mov'd, That the four Protests given in the former Sitting by the Duke of Athol, Earl of Buchan, George Lockhart of Carnwath, and Walter Stewart, ought not to be inserted in the Minutes, nor printed; and after some Reasoning the Earl of Marchmont gave in a Protestation against the said four Protests, took Instruments thereupon; and the Lord Chancellor, the Marquis of Montrose, President of the Council, the Duke of Argyll, the Marquises of Tweeddale and Lothian, and most of the Well-affected to the Union, adher'd thereto.

\* January  
9th.

The 3d  
Clause  
of the 22d.  
Article as  
prov'd.

The next \* day the Lord, Balmerino gave in a Protestation against that of the Earl of Marchmont, took Instruments thereupon, and the Duke of Hamilton and his Party adher'd to the same. After some further Debate, it was agreed, that none of the said Protests be inserted, at length, in the Minutes, or printed; but that they be all inserted in the Records of Parliament. Then the 3d Paragraph of the 22d Article, beginning, viz. 'And that if Her Majesty, on, or before the first day of May, next &c. and ending thus, viz. 'And that the Parliaments may continue for such time only, as the present Parliament of England might have continu'd if the Union of the Two Kingdoms had not been made; unless sooner Dissolv'd by Her Majesty, was read: And after Reasoning thereon, it was mov'd, to add the following Clause, viz. *And that the said Parliament of Great Britain shall meet, and sit, once in 3 Years, at least, in that part of Great Britain now called Scotland.* After further Debate, there were two States of the Vote offer'd, the first, *Approve of the 3d Paragraph of the 22d Article, or not,* and the 2d, *add the above Clause, or not;* and the Vote being put, first or second, it was carried first; afterwards the Vote was put, *Approve of the 3d Paragraph of the said Article, or not,* and it was carried, *Approve.* Then the rest of the said Article was read, and after some Reasoning, and reading of the Oaths to which it relates, an Overture was given in for an Additional Clause, for Explaining the Word *Limitation*, mentioned in the Oath appointed to be taken by Stat. 13. Will. III.

Ch. 6. as also an Overture for exempting Persons in any Office or Employment in Scotland, from taking the Oath of Abjuration mention'd in the said Article. A third Overture was given in a for a Clause, That so long as the Act appointing the Sacramental Test, shall continue in force in England, all Persons in Publick Trust within the Limits of Scotland, shall Swear, and sign a Formula thereto subjoin'd, in manner, and under the Penalty therein mention'd. After Reading the said three Overtures, and reasoning thereon, a Vote was stated, Approve of the twenty second Article of Union as explained, or not. But before Voting it was agreed, that notwithstanding of the said Vote, and that the Article should thereby be approved, it should nevertheless be intire and free afterwards, to proceed on the said Overtures next Sitting, and to the Parliament to give their Sentiments thereon. And it being thereupon moved to delay the Vote for approving the Article till next Sitting, a previous Vote was stated; Proceed, or Delay, and it was carried Proceed. Then the Vote was put, Approve the <sup>The re-</sup> twenty second Article as explained, or not, and it was <sup>mainder of</sup> carried Approve. <sup>the 22d</sup>

On the 10th of January, after the Reading the Address of Perth against an Union, in the Terms of the Articles, the Overture for Exempting Persons in any Office or Employment in Scotland, from taking the Oath of Abjuration mention'd in the 22d Article of the Union, was again read, and after some Reasoning thereon, the Overture was dropt. Then the Overture for an Additional Clause to the said 22d Article, for explaining the Word Limitation, mention'd in the Oath appointed to be taken by 13 IV. 3. Cap. 6. was again read, viz. Like as it is declared, that by the Word Limitation, in the Oath mentioned in the above Article, is only understood, Entail of the Succession, and not the Conditions of Government upon the Successor; and that all Persons of Scotland, who may be liable to take the said Oath, Swear it in that Sense only. And, after Reasoning thereon, the Vote was put, Add the said Clause, or Not, and it was carried, Nor. Then the third Overture for a Clause to be added to the said 22d Article mention'd in the Minutes of the last Sitting, was again read in these Terms, And further, it is Agreed, that so long as that part of the 2d. Act, Anno

A. C.  
1706.

† Jan. 13.

The 23d  
Article of  
Union  
approved.

25. Ch. 2d. *Appointing a Sacramental Test shall stand, and continue in force in England, all Persons in Publick Trust, Civil or Military, within the Limits of Scotland, shall Swear and Sign the Formula under-written, within six Months after the Commencement of the Union: And all who shall be admitted to any Publick Trust thereafter, shall, before the Exercising their said Office of Trust, Swear and Subscribe the same, to be Administred by the Lords of Privy Council, or any one of them, under the like Penalties and Disabilities, as are provided by the foresaid Act made in the Parliament of England. Here follows the Formula. I A. B. Do sincerely and solemnly Declare, in the presence of GOD, That I own the Presbyterian Government of the Church, as by Law Established, in Scotland, to be a lawful Government of the Church; And that I shall never, directly nor indirectly, endeavour the Subversion thereof, nor any Alteration in the Worship, Discipline or Government of the said Church, as by Law Established: So help me GOD. After Reasoning thereon, the Vote was put, Add the Clause, or Not, and it was carried Not, by a majority of 35 Voices. Then the 23d Article of Union was read; and after Reasoning thereon, the further Debate was adjourn'd till next Sitting, when † an Overture was given in for adding a Clause thereto in these Terms, *With this express Provision; That none of the Peers of Scotland shall have personal Protection within Scotland for any Debt owing before the Commencement of the Union. As also another Overture for adding a Clause in these Terms, That all the Peers of that part of Great Britain now call'd Scotland, qualified according to Law, shall after the Union, have Right to sit Covered in the House of Peers of Great Britain, notwithstanding that the Right to give Vote therein belongs only to the said Sixteen Peers, who are to be summoned in the manner appointed by the preceding Article. After Reasoning upon the said two Overtures, and upon two separate Motions, the first in relation to allowing all the Peers of Scotland to sit upon the Tryal of the Peers of Britain; and the other in relation to their Precedency according to their Patents: The Vote was stated in these Terms, Approve the 23d Article of Union, or alter, reserving intire the consideration of the above two Overtures, and whether the same shall be added to the Article, and it was carried Approve. Then the first Overture for the Clause, in relation**

to



to Personal Protection, was again read; and after Debate, it was put to the Vote, *Add the Clause, or Not*; and it was carried *Not*. Afterwards the second Overture, or a Clause, *in relation to all the Peers of Scotland, their sitting covered in the House of Peers of Great Britain*, was again read; and after reasoning, the Vote was put, *Add the Clause, or Not*, and it was carried *Not*.

The next \* day the 24th Article was read, where-  
upon a Memorial was given for the *Lyon King of Arms*, in relation to his Precedency, which being read, after Reasoning it was mov'd, That the Rank and Precedency of the *Lyon King of Arms*, be left to her Majesty, and next to these Words in the said Article, *viz. (And that the quartering the Arms)* these other Words, *viz. And the Rank and Precedency of Lyon, King of Arms of the Kingdom of Scotland*; be added. And it being also mov'd, That his Rank should be likewise inserted in the said Article, to be immediately next after, *Garter Principal King of Arms in England*: After Debate, it was put to the Vote, add the above Words, *That the Rank and Precedency be left to her Majesty*, or insert the Rank and Precedency, and it was carried, the *Words*; which being accordingly added, there was another Clause offered to be added to the 24th Article, *viz. 'And that the 'Crown, Scepter and Sword of State, Records of 'Parliament, and all other Records, Rolls and Reg- 'isters whatsoever, both Publick and Private, Ge- 'neral and Particular, and Warrants thereof, conti- 'nue to be kept, as they are, in that part of the Uni- 'ted Kingdom, now call'd Scotland, and that they 'shall so remain in all Times coming, notwithstanding the Union.* Which being read, the same was agreed to be added, and was accordingly subjoin'd, and the Article as amended, read over. Then the  
Vote was put, Approve of the said 24th Article, as <sup>The 24th</sup> amended, or not, and it was carried *Approve*. The <sup>and 25th</sup> Articles of  
25th Article of Union being read; after Reasoning Union thereon, the Vote was put, Approve of the 25th approved. Article, or not, and it was carried *Approve*.

On the 15th of the same Month, the Draught of an Act, Ratifying and Approving the Treaty of Union of the two Kingdoms of *Scotland and England*, was given in, and offer'd to be read; whereupon it was

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was mov'd, that the Parliament should first proceed to the Constitution of the manner of Electing the Representatives for *Scotland* to the Parliament of *Great Britain*, and either now to determine that matter, or to appoint a Diet for that end. After Debate the Vote was stated, 'Proceed to the Ratification of the Treaty of Union, and Act for Security of the Protestant Religion and Presbyterian Church Government, or to the Constitution of the manner of Electing the Representatives for *Scotland* to the Parliament of *Great Britain* ; but before Voting, it was agreed, that in case it should be carried to proceed to the Ratification, the Parliament would immediately after passing the Act of Ratification, proceed to the Constitution of the manner of Electing the Representatives for *Scotland*. Then the Vote was put, proceed to the Ratification or Constitution, and it was carried Ratification : After which the Draught of the Act, Ratifying, Approving, and, at length, Narrating the Articles of Union, as enlarg'd, explained and amended, and the Act for Security of the Protestant Religion, and Presbyterian Church Government, was read ; and after some Discourse, a first Reading mark'd thereon. The next † day, † Jan. 16. the said Act was read a second time ; and then the Act for Security of the Protestant Religion and Presbyterian Church Government, inserted in, and ratify'd by that Act, was touch'd with the Royal Scepter by the Lord High Commissioner. Immediately after this, the following Representation and Petition, was presented to the House :

*Representation and Petition of the Church of Scotland.*

To his Grace Her Majesty's High Commissioner, and the most Honourable the Estates of Parliament.

THE REPRESENTATION and PETITION of the Commission of the General Assembly of the National Church of *Scotland*.

Humbly Sheweth,

THAT We considering the Trust reposed in us by the late General Assembly, find it our Duty to lay before your Grace and Lordships, when as we are informed, You are about the passing of an Act of Ratification of the Articles of the Treaty of Union betwixt the

two Kingdoms of Scotland and England, which contains these following Words; Declaring nevertheless, that the Parliament of England, may provide for the Security of the Church of England, as they shall think expedient, to take place within the Bounds of the said Kingdom of England, and not derogating from the Security above provided, or establishing the Church of Scotland within the Bounds of this Kingdom, which shall not suspend or derogate from the force and effect of this present Ratification, but shall be understood as here included, without any necessity of any new Ratification in the Parliament of Scotland: Which Clause seems to us, not only to be like a Blank, put, with your Grace and Lordships Consent, in the hands of the Parliament of England, to Enact what they shall think fit, for securing the Hierarchy and Ceremonies of their Church: But also a Consent that it be an Article, and Fundamental of the Union; and as is contained in Your Ratification, cannot but imply a manifest Homologation.

We do therefore humbly beseech your Grace and Lordships, That there be no such Stipulation; or Consent for the Establishment of that Hierarchy and Ceremonies, as you would not involve your selves and this Nation in Guilt, and as you consult the Peace and Quiet of this Nation, both in Church and State. We Pray that GOD may Bless and Preserve our Gracious Queen, and direct your Grace and Lordships in this, and all the great and momentuous Affairs, which are or may be before You.

Signed in the Name, in the Presence, and at the Appointment of the Commission of the late General Assembly, by

fic subscribitur

Will. Wilsart Moderator

After Reasoning upon the Act and Representation, the Vote was stated, Approve the Act; or not: But before Voting it was agreed, that the Votes be mark'd, and the Chancellor allow'd to be mark'd, as an Approver. At the same time, the Duke of Douglas gave in a Protestation for his Privilege of the first Vote in Parliament and took Instruments thereon, and the Duke of Hamilton gave in also a Protestation

A. C. to the contrary. Then the Vote was put, *Approve*  
 1706. *the Act, Ratifying and Approving the Treaty of Union*  
 of the Two Kingdoms of Scotland and England, Yea,  
 The Act of or Not, and it was carried *Approve*, by a Majority  
 Ratifica- of 110 Voices, against 69, and then the Act was  
 tion past, touch'd with the Royal Scepter, by her Majesty's  
 Jan. 16. High Commissioner in the usual manner.

The next Business the Scotch Parliament went upon, was the preparing *An Act for the Settling the manner of Electing the Sixteen Peers and Forty five Commoners, to represent Scotland in the Parliament of Great Britain*, which was debated in the Sittings of the 20th, 21st, 22d, 24th, 27th, 28th, 29th, and 31st of January.

The manner of Electing the Representatives of Scotland settled. The 22d, an Overture relating to the Ways of Electing the Representatives for Scotland to the Parliament of Great Britain, was read. And after reasoning thereon, the Vote was put, whether the 16 Peers, who were to be Representatives for Scotland in the Parliament of Great Britain, should be sent by *Rotation* or *Election*; and it was carried by *Election*. Then it was moved, that it be considered, what way the Election should be, whether by *balloting*, or by an *open Election*: And after Debate thereon, the Vote was put, whether it shall be by *open Election*, or *balloting*; and it was carried by *open Election*. The 24th it was debated what Proportions the Shires and Burroughs should have of the 45 Members that are to sit in the House of Commons of Great Britain. And it being proposed, that 30 should be the Number for the Shires, and 15 the Number for the Burroughs, it was put to the Vote, and carried *approve*.

The 29th a Vote was put, if the Burgh of *Edinburgh*, by it self, should have one Representative or not, and it was carried *One*. Then a Scheme dividing the Burghs into 15 Districts, each of which Districts is to have one Representative, was given in and read, and is as follows: The Burghs of *Kirkcaldy, Wick, Dornock, Lingwal and Tain*, one; *Forres, Inverness, Nairn and Forres*, one; *Elgin, Cullen, Banff, Inverury and Kintore*, one; *Aberdeen, Bervie, Montross, Aberbrothock and Breichin*, one; *Forfar, Perth, Dundee, Cowper and St. Andrews*, one; *Cryll, Kilbrany, Arstruthers Easter and Wester*, and *Pittenween*, one; *Dysart, Kirkaldy, Kingborne and Brunt-Island*,

*Island*, one; *Inverkeath*, *Dunfermlin*, *Queens-Ferry*, *Culross* and *Sterlin*, one; *Glasgow*, *Renfrew*, *Rutherglen* and *Dumbarton*, one; *Edinburgh*, one; *Haddington*, *North-Berwick*, *Dunbar*, *Lauder* and *Fedburgh*, one; *Selkirk*, *Pebbles*, *Linlithgow* and *Lanerk*, one; *Dunfreis*, *Sanghuar*, *Anan*, *Lochmabau* and *Kirkcubright*, one; *Wigtoun*, *New-Galloway* and *Whithorn*, and *Stranrauer*, one; and *Aire*, *Ireuing*, *Rothsey*, *Cambleton* and *Inverary*, one. And the Vote being put, approve the Scheme or not, it was carried *ap- prove*.

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On the 31st of *January*, the Parliament proceeded to consider the Motion for allowing the Commissioners for the Treaty of Union their Expences; and thereupon a Resolve was brought in, for allowing each Nobleman 12000 *l. Scotch*, and each other Commissioner 6000 *l.* their Secretary 4800 *l.* and to each of the three Accomptants 2400 *l. Scotch*, out of the Equivalent, *pari passu* with publick Debts, after the *African Company*. After Reasoning the Vote was put, Approve of the Resolve, or not, and it was carried *Approve*; but before Voting the Votes were order'd to be Printed, and the Lord *Archibald Campbell*, now Earl of *Isle*, allow'd his Expences as a Nobleman. Then it was mov'd, that the Commissioners for the Treaty in 1702, have Allowance for their Expence in manner following, each Nobleman 500 *l. Sterling*, each Baron 300 *l.* and each Borough 200 *l. Sterling*; and after Debate, the Vote was put, grant Allowance of the above Sums, yes, or not, and it was carried, yes; and the said Expence was declared to be a publick Debt, and refer'd to the Committee to state the same as such. After this it was mov'd, that no Representative to the Parliament of *Great Britain*, either for Shire or Borough, have any Allowance for their Charges, and Expences in attending the same; and after Debate, it being mov'd to Delay the same, the Vote was stated, Proceed, or Delay, and it was carried *Delay*. The said Motion being resumed, and Discour'd on, in the \* next sitting, the Vote was put, \* Feb. 3: whether there shall be any Thing insert'd in the Act for settling the manner of Electing and Summoning the 16 Peers, and 45 Commoners, to re-

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present *Scotland* in the Parliament of *Great Britain*, in relation to the Charge and Expences of the Representatives for the Shires and Boroughs, yea, or not, and it was carried, not. Then it was mov'd, that at all Meetings of the Peers for Electing of their Representatives, such Peers as are absent, be allow'd to have Vote in the said Election by Proxy, the said Proxies being Peers, and they and their Constituents being qualify'd, by taking the Oaths requir'd by Law; and that the said absent Peers may either Vote by their Proxies, or by sending up a List Subscribed by them; and after Reasoning thereon, the Vote was put, allow Proxies in the aforesaid Terms, yea, or not, and it was carried *allow*. Afterwards it was Agreed, That the Meeting of the Peers for the said Elections, should be at any Place her Majesty should appoint within the Kingdom of *Scotland*. Agreed also, That in case of the Decease, or Promotion of any of the 45 Commoners, to be chosen by this Session of Parliament to the Parliament of *Great Britain*, the District for which he is a Member, upon a Writ directed to them for that effect, shall chuse another in his Place; and Agreed likewise, that in case of the Decease of any of the 16 Peers, the Peers shall meet and elect another in place of the deceas'd, upon a Writ directed to them for that effect. Then it was mov'd, that such Peers of *Scotland*, who are also Peers of *England*, who after the Union, shall be created Peers of *Great Britain*, have no Vote in the Election of the 16 Peers from *Scotland* to the Parliament of *Great Britain*: And after Debate thereon, it was put to the Vote whether any thing in relation to the said Motion, shall be inserted in the aforesaid Act, settling the manner of Elections, yea, or not, and it was carried *not*. Afterwards it was agreed, that when the Commissioners for Boroughs, who shall meet for Electing their Representatives shall happen to be equal, the President of the Meeting shall have the casting Vote; and that the Commissioner for the eldest Borough, shall proceed at the first Meeting; and the Commissioner for the other Boroughs by turns, as the Boroughs were then call'd in the Rolls of Parliament.

The

The next † Day the Draught of the Act for settling the manner of Elections, was read; and a first Reading allow'd to be mark'd thereon; and being read a second Time on the 5th of February, it was approved and confirm'd by the Touch of the Royal Scepter, in the usual manner. The same Day, a Proclamation concerning the Coin, was brought in from the Committee, Read, Voted and Approved. On the 10th and 12th of February, the Parliament was taken up with private Business, and the next Day proceeded to elect the Representatives for Scotland, in the first Parliament of Great Britain; And, the three Estates having separated to their usual places, they return'd and reported their respective Elections, which were as follows,

E c 3

For

(A) It is to be observ'd that the following Peers only Voted in the Election of the Nobility.

|                                    |                      | Votes.                    |
|------------------------------------|----------------------|---------------------------|
| Earl of Seafield, Lord Chancellor, | Morthesh,            | The D. of Queens- } 45    |
| Marquis of Montross,               | Bel-carras,          |                           |
| P. S. C.                           | Forfar,              | Commissioner had } 39     |
| Duke of Hamilton,                  | Kilmarnock,          |                           |
| Marquis of Tweedale,               | Kintore,             | E. of Seafield, Lord } 35 |
| Marquis of Lothian,                | Marchmont,           |                           |
| Earls.                             | Hyndford,            | Chancellor } 28           |
| Marr, Secr.                        | Stair,               |                           |
| Lowdown, Secr.                     | Roseberry,           | Marq. of Montross } 29    |
| Crawford,                          | Glasgow,             |                           |
| Marshall                           | Hooton,              | Marq. of Lothian } 41     |
| Sutherland                         | Klay.                |                           |
| Roths,                             | Viscount.            | Earl of Marr, Secr. } 40  |
| Motton,                            | Stormont of Kilfyth. |                           |
| Buchan,                            | Lords.               | Lowdown, Secr. } 28       |
| Glencairn,                         | Elphingston,         |                           |
| Roxburgh,                          | Oliphant,            | Crawford } 29             |
| Haddington,                        | Ross,                |                           |
| Galloway,                          | Torphithen,          | Sutherland } 28           |
| Lauderdale,                        | Blantire,            |                           |
| Wemyse,                            | Cranston,            | Roxburgh } 27             |
| Dalhousie,                         | Bargeny,             |                           |
| Finlater,                          | Barnff,              | Wemyse } 41               |
| Leven,                             | Elibank,             |                           |
|                                    | Beilhaven.           | Leven } 36                |
|                                    |                      |                           |
|                                    |                      | Stair } 30                |
|                                    |                      |                           |
|                                    |                      | Roseberry } 38            |
|                                    |                      |                           |
|                                    |                      | Glasgow } 34              |
|                                    |                      |                           |
|                                    |                      | Klay } 34                 |
|                                    |                      |                           |

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*The Representatives for Scotland in the Parliament of Great Britain, chosen*

Feb. 13.

For the Lords.

*The Duke of Queensberry,*  
*High Commissioner,*  
*Earl of Seafield Chancellor,*  
*Marq. of Montross, P. S. C.*  
*Marquis of Tweeddale,*  
*Marquis of Lothian,*  
*Earls.*  
*Mar,*  
*Lowdown,*

*Crawford,*  
*Sutherland,*  
*Roxburgh, (since made Duke,)*  
*Wemyse,*  
*Leven,*  
*Stair,*  
*Roseberry,*  
*Glasgow,*  
*Islay.*

For the Barons.

*W. Nisbet of Dirletoun,*  
*J. Cockburn Tr of Ormiston,*  
*Sir Wm. Ker of Greenhead,*  
*Sir J. Swintoun of That Ilk,*  
*Wm. Bennet of Grubbet,*  
*Archib. Douglass of Carvers,*  
*Mr. J. Murray of Bowhill.*  
*Mr. J. Pringle of Haining,*  
*Will. Morleson of Prestoungrange,*  
*Geo. Baillie of Jerviswood,*  
*Sir J. Johnstoun of Westerhall,*  
*Mr. J. Stewart of Sorbie,*  
*Mr. F. Montgomery of Giffan,*  
*W. Dalrymple of Glenmure,*  
*Sir R. Pollock of That Ilk,*

*John Halden of Glenagies,*  
*Mungo Grahame of Gorthy.*  
*Sir D. Ramsay of Balmain,*  
*Sir Tho. Burnet of Lies,*  
*W. Seaton Tr of Pitmedden,*  
*Alex. Grant of That Ilk, Jun.*  
*Hugh Ross of Kilravock,*  
*Sir K. M'kenzie of Cromarty,*  
*Mr. J. Campbell of Mammore,*  
*Sir J. Campbell of Auchinbrek,*  
*Ja. Campbell of Arkinlask,*  
*James Halyburton of Pitcurr,*  
*A. Abercrombie of Glasfoch,*  
*A. Douglass of Eagleshaw,*  
*John Bruce of Kinross.*

For the Boroughs.

*Sir Pat. Johnstoun,*  
*Lieut. Col. John Erskine,*  
*Hugh Montgomery,*  
*James Scot,*  
*Sir John Erskine,*  
*Mr. P. Moncreif of Ready,*  
*Sir Andrew Home,*  
*Sir Peter Halket,*

*Sir James Smollet,*  
*Sir David Dalrymple,*  
*Mr. John Clerk,*  
*Mr. Patrick Ogilvie,*  
*Geo. Allardice,*  
*Daniel Campbell*  
*Mr. Alexander Mairland.*

The



The Remainder of the Session was spent in several important Affairs, both private and publick, particularly in examining the Accounts of the *African* and *Indian* Company, and providing for the due Application of the Equivalent. On the 25th of March, his Grace the High Commissioner, went to the Parliament House in great Solemnity, being attended by the whole Troop of Life-Guards, and all the Nobility and Gentry in their Coaches, and touch'd with the Scepter the following Acts, viz. 1. Act in favour of the Incorporations of *Edinburgh* for a Maiden Hospital, 2. Act in favour of the Town of *Dundee*, 3. another in favour of that of *Aberdeen*, 4. Act in favour of the Duke of *Hamilton* and the Town of *Borrowstouness*; 5. Act in favour of the Burgh of *Kirkcaldie*; 6. Act renouncing the Reversion of *Kirklands*; 7. Act in favour of the Burgh of *Kinghorn*; 8. Act for clearing the passage through the *Mary Wind* in the Burgh of *Sterlin*; 9. Act in favour of the Earl of *Linlithgow* and *Callender*; 10. Act in favour of the Lady *Littlegil* and her Son; 11. Act of Naturalization of *John Henry Huguetan*; 12. Act for Naturalizing several Foreigners; 13. Act for preserving the Game; 14. Act in favour of the Earl of *Buchan*; 15. Act of Dissolution of the Mines and Minerals belonging to his Grace the Duke of *Queensberry* 16. Act for Burying in *Wooll*; 17. Act in favour of the Maiden Hospital founded by the Company of Merchants and *Mary Ereskine*; 18. Act concerning the payment of the Sums out of the Equivalent to the *African* Company; and 19. an Act concerning the Publick Debts. Then the Act *Salvo Jure cujus Libet* was read, and it being read again, it was voted, approved, and touched with the Scepter; Which done, his Grace Her Majesty's High Commissioner, made the following Speech to the Parliament.

Acts pass'd  
March 25.

My Lords and Gentlemen,

THE Publick Business of this Session being now over, The Duke of it's full time to put an end to it. I am perswaded, Queens- that we and our Posterity will reap the Benefit of the berry's UNION of the Two Kingdoms; and I doubt not, but Speech. as this Parliament has had the Honour to conclude it, you will, in your several Stations, recommend to the

A. C. People of this Nation, a grateful Sense of her Majesty's  
 1706. Goodness and great Care for the Welfare of her Subjects,  
 in bringing this Important Affair to Perfection; and that  
 you will promote an Universal desire in this Kingdom, to  
 become one in Heart and Affections; as we are insepara-  
 bly join'd in Interest with our Neighbour Nation.

My Lords and Gentlemen,

*I have a very deep Sense of the Assistance and Respect  
 I have met with from you in this Session of Parliament,  
 and I shall omit no Occasion of shewing to the utmost of my  
 Power, the grateful Remembrance I have of it.*

*The Parli-  
 ament ad-  
 journ'd.*

The Parliament being adjourned to the 22<sup>d</sup> of April next, His Grace returned to the Queen's Palace in the same Solemnity as he went to the House, and gave a splendid Entertainment to the Nobility and Gentry. The day before the Draught of a Lett<sup>r</sup> from the Parliament to Her Majesty, was brought in, voted and approved; and the Duke of Queensberry having thus happily concluded this Session, and surmounted all the Difficulties he met in his Way, set out, some Days after, for London, where he arrived the 16<sup>th</sup> of April, being met several Miles out of London, Town by many Noblemen and Gentlemen in their Coaches, to the Number of above 40; and by near 400 Persons on Horseback. The next Morning, his Grace waited upon the Queen at Kensington, where he found that gracious Reception, which his never-to-be-forgotten Services had deserv'd.

*The Duke  
 of Queens-  
 berry ar-  
 rives at  
 London,  
 April 16.*

The several Addresses that were presented to the Scotch Parliament, made no small Noise in England; being maliciously urg'd by some disaffected Persons, as an Argument that the Scots were generally averse to an Union, and industriously improved to create the like Aversion in the Minds of the English Nation; but yet it may be observ'd, That of 34 Shires of Scotland, only 13 address'd; and of all these the better and more substantial part of the Gentlemen refus'd to join with the rest; That of 66 Burroughs, only 17 sent up Addresses, and most of these not against the Union, but only for Rectification of the Articles; That of 68 Presbyteries, three only, viz. those of Hamilton, Lanerk and Dumblain; and of 938 Kirks and Parishes only 60 address'd against an Union; by the  
 visible

visible Influence of the great Men that thwarted it in the Senate House. It must, at the same Time, be acknowledg'd, That, whether the Advantages that will accrue to the *English* Nation from the *Union*, were more real and apparent, or their Deference to the Wisdom of the Government greater; that Affair met not with that warm Opposition in *London*, it had found in *Edinburgh*.

The *English* Parliament being met, on the 7th of *The Parli- January*, (according to their last Adjournment) the Commons order'd the Thanks of their House to the *England* Bishop of *Sarum*, for the excellent Sermon he preach'd before Her Majesty, and both Houses of Parliament, on the last Thanksgiving Day; and having taken into their Consideration the Eminent Services of *John Duke of Marlborough*, whereby the Glory of her Majesty's Government, the Honour and Safety of the Kingdom, and the Interest of the Common Cause had been so highly advanced, They agreed upon the following Address to the Queen:

meets a-  
gain.  
Jan. 7.

The Com-  
mons  
order  
Thanks to  
the Bp. of  
Sarum.

Most Gracious Sovereign,

WE Your Majesty's most Dutiful and Loyal Subjects, the Commons of *England* in Parliament assembled, taking into our Consideration the many Eminent Services of *John Duke of Marlborough*, whereby the Glory of your Majesty's Government, the Honour and Safety of your Kingdoms and the Interest of the Common Cause have been so highly advanc'd, do with all Submission Address our selves to your Majesty's most Sacred Person, humbly to desire, That, as your Majesty is at your Expence graciously pleased to erect the House of *Blenheim*, as a Monument of his Glorious Actions, and the House of Peers, by Your Majesty's Permission, have given rise to a Law for continuing his Honours to his Posterity, We Your most Obedient Commons may be permitted to Express our Sense of so distinguishing a Merit, and our ready Disposition to enable Your Majesty to make some Provision for the more honourable Support of his Dignity in his Posterity, in such manner as shall be most agreeable to Your Majesty.

Their Ad-  
dress in fa-  
vour of the  
Duke of  
Marlbo-  
rough.

Thus

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1704.



'Thus the Gratitude of the whole Kingdom will remain upon Record to After-Ages, and encourage others to follow his great Example.

This Address being the next Day, presented to the Queen by the whole House, Her Majesty was pleas'd

*The Queen's* to answer, in these Words :

*Answer,*

*Jan. 8.*

Gentlemen,

I Am very glad you have so just a Sense of the repeated Services of the Duke of Marlborough; I will consider of your Address, and return an Answer very speedily.

Accordingly, on the 9th of January, Mr. Secretary Harley deliver'd to the House the following Message, sign'd by her Majesty :

## ANNE R.

HER Majesty, in Consideration of the Great and Eminent Services perform'd by the Lord Marlborough in the First Year of Her Reign, as well by his Prudent Negotiations as Her Plenipotentiary at the Hague, as by his Valour and good Conduct in the Command of the Confederate Armies abroad, thought fit to grant to him and the Heirs Male of his Body, the Title of a Duke, of this Realm; and as a farther Mark of Her Favour and Satisfaction with his Services, and for the better Support of his Dignity, Her Majesty granted to the said Duke, and the Heirs Male of his Body during his Life, a Pension of 5000 l. per Annum, out of the Revenue of the Post Office; and an Act having pass'd this Session for settling the Honours and Dignities of the Duke of Marlborough upon his Posterity, and annexing the Honour and Manor of Woodstock, and House of Blenheim, to go along with the said Honours, it would be very agreeable to Her Majesty if the Pension of 5000 l. per Annum, be continued and limited by Act of Parliament to his Posterity, for the more honourable Support of their Dignities, in like manner as his Honours, and the Honour and Manor of Woodstock and House of Blenheim, are already limited and settled, Kensington, January 9. 1704.

Upon the reading of this Message, the House Resolved, That a Bill be brought in for continuing and Settling

Setting upon John Duke of Marlborough and his Posterity the Pension of Five Thousand Pound per Ann. (already granted by Her Majesty) for the more honourable Support of their Dignities, in like manner as his Honours and Dignities, and the Honour and Manor of Woodstock and House of Blenheim, are already limited and settled; and that Mr. Secretary Harley, Mr. Chancellor of the Exchequer, Lord Granby, Mr. Solicitor General, Coll. Scragwayes, Mr. Verney, Mr. Fortman and Mr. Lowndes, do prepare and bring in the Bill.

The day † before, Mr. St. John, by her Majesty's Directions, laid before the House of Commons, *an* *Several* *Establishment of the Forces in Spain for the Year 1707. Establish- An Establishment of the Additional Forces for Spain; ments, Esti- And an Account of Her Majesty's Proportion of Subsidies mates and payable to the Allies, pursuant to the Treaties for the Year. Accounts 1707. On the 9th of January, Admiral Churchill pre- presented to the House, an Estimate of the Debt of her Majesty's Navy, as it stood on the 30th of September, the House of Commons. 1706. And an Account of the Number and Rates of her Majesty's Ships, and of the number of Men employ'd in the Sea Service in each Month, from the first of November, 1705. to the first of November, 1706. At the same time, Mr. Vincent, from the Commissioners for victualling of her Majesty's Fleet, presented to the House an Account where the several Ships of her Majesty's Navy were victualled, and with the Produce of what Country, between the first of November 1705. and the thirty first of October, 1706. And the Titles of the said Establishments, Estimates, and Accounts being read, the Consideration of the same was referr'd to the Grand Committee for the Supply. The same day, the House agreed to the following Resolutions, which that Committee had taken the day before, viz.*

1. 'That a Sum not exceeding 49000 l. be granted *Resolutions to her Majesty, for the payment of another Year's about the Interest of the unsatisfy'd Debentures charged upon Supply.*
2. 'That a further Sum of 10000 l. be allowed to the Office of Ordnance, towards making a Wharf and Storehouse at Portsmouth.
3. 'That a Sum not exceeding 120000 l. be granted to her Majesty for the Land Service, to be per-

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1706.



perform'd by the Office of Ordnance for the Year 1707.

4. That a Sum not exceeding 144000 *l.* be granted to her Majesty, towards defraying the Charge of Transporting Land Forces.

5. That a Sum not exceeding 3500 *l.* be granted to her Majesty, for the Charge of Circulating Exchange Bills for another Year.

Then Mr. *St. John* presented to the House an Account of some extraordinary Charges of the War, not provided for the last Session of Parliament, or incurred since; and also of the extraordinary Charges of the War in the Years 1705 and 1706 for Horses.

\* Jan. 10.  
Further  
Resolutions  
about the  
Supply.

The next \* day, the Commons went again upon the Supply, in a Committee of the Whole House, and came to several Resolutions, which were, on the 11th of January reported to the House, and agreed unto, viz.

1. That 37500 *l.* be granted to her Majesty, to defray her Majesty's proportion of the Subsidies payable to the King of Denmark, for the Service of the Year 1707.

2. That 150000 *l.* be granted to her Majesty, to defray her Majesty's proportion of the Charges of 13000 Men in the Service of the King of Portugal, for the Year 1707.

3. That 160000 *l.* be granted to her Majesty, to defray her Majesty's proportion of the Subsidies payable to the Duke of Savoy, for the Service of the Year 1707.

4. That 5952 *l.* 7 *s.* 6 *d.* be granted to her Majesty, to defray her Majesty's proportion of the Subsidies payable to the Landgrave of Hesse-Cassel, for the Service of the Year 1707.

5. That 5952 *l.* 7 *s.* 6 *d.* be granted to her Majesty, to defray her Majesty's proportion of the Subsidies payable to the Elector of Treves, for the Service of the Year 1707.

6. That 4761 *l.* 18 *s.* 6 *d.* be granted to her Majesty, to defray her Majesty's proportion of the Subsidies payable to the Elector Palatine, for the Service of the Year 1707.

7. That

7. 'That 50000 *l.* be granted to her Majesty, to defray her Majesty's proportion of the Charge of 8000 Men sent to the Assistance of the Duke of Savoy, for the Service of the Year 1707. A. C. 1706.

8. 'That 445350 *l.* 14 *s.* 2 *d.* be granted to her Majesty, for defraying the Charge of maintaining 20562 Men, part of her Majesty's Forces, to be employ'd in Spain or Portugal, and for the General Officers, Contingences, Hospitals, Forrage and Waggon-Money, and for the Garrison of Gibraltar, and for General Officers serving the King of Portugal, for the Year 1707.

9. 'That 186296 *l.* 4 *s.* 2 *d.* be granted to her Majesty, for defraying the Charge of maintaining 8833 Men (Additional Forces) to be employ'd in Spain or Portugal, and for the General Officers and Contingences, for the Service of the Year 1707. And lastly,

10. 'That an humble Address be presented to Her Majesty, That she will be pleased to give Order, that the Treaty with the King of Prussia in the Year, 1706, and also the Treaty with the Landgrave of Hesse Cassel, may be laid before this House.

The day \* before, being a Friday, the Earl of N—m acquainted the House of Peers, that he had something of great Consequence to lay before them, and therefore desired, that they would appoint a Day to receive it, in a full House. The Lords having named the Tuesday following, on which day the Members in and about Town, were summon'd to attend, the Earl of N—m, in a set Speech, represented to them, 'That the Union of the Two Kingdoms of England and Scotland, was a Matter of the highest Importance; and a Work of so much Difficulty, that all the Attempts that had been made towards it, in the last Century, had proved uneffectual; That the Parliament of Scotland, having thought fit to secure the Presbyterian Church Government in that Kingdom, it became the Wisdom of the Parliament of England, to provide betimes against the Dangers, with which the Church by Law establish'd was threatned, in case the Union was accomplish'd: And therefore he moved, 'That an Address be presented to the Queen, humbly

Debaters in the House of Lords about taking the Business of the Union into Consideration, Jan. 14. The Earl of N—m's Speech.

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'bly to desire Her Majesty, that the Proceedings both of the Commissioners for the Treaty of Union, and of the Parliament of *Scotland*, relating to that Matter, be laid before them. He was seconded by the Earl of R—r, who declared. 'He was for an *Union*, and had been so for Twenty Years past; but that he had a few Doubts in the Matter, and therefore was for entering upon the Debate of that important Affair as soon as possible. The Duke of B—m spoke to the same purpose: Adding, 'That the *Union* of Both Kingdoms had been upon the Anvil since the Accession of King *James I.* to the *English* Throne; and, as it could not be expected that so weighty a Matter, which took up so much Time and Labour before, should now be completed in a few Days, therefore he was for taking it forthwith into Consideration. The Lord High Treasurer answer'd, 'That this Affair was not yet ripe for them to debate, and that they need not doubt, but that Her Majesty would communicate to the Parliament of *England*, all the Proceedings about the *Union*, as soon as that of *Scotland* should have gone through with it. The Lords *Wharton*, *Somers* and *Hallifax*, spoke on the same side, and urg'd, 'That it was an Honour to this Nation, That the Treaty of Union should first come ratify'd from the Parliament of *Scotland*; and that then, and not before, was the proper time to take the same into Consideration. The other Party finding they were too weak to carry a Question, the Earl of N—m's Motion was drop'd.

The Earl of  
N—m's  
Motion  
dropt.

\* Jan. 13. The next \* day, some of the Commissioners of the Customs presented (at the Bar,) to the House of Commons, several Accounts of prohibited *East-India* Goods, by the *Old*, *New*, and *United East-India* Company; after which Mr. Secretary *Harley*, laid before the House, by Her Majesty's Order, the Treaty for Repartition of the *Prussian* Troops, Hague, Novemb. 24. 1706. And also, the Ratification of the Treaty, for the march of the *Hessian* Troops to Italy, concluded, May 20. 1706. The consideration whereof was referr'd to the Grand Committee for the Supply.



On the 16th of *January*, the Commons order'd the Commissioners of Trade to lay before their House a State of the *Newfound-Land* Trade, in Relation to the Fishery. And Mr. Secretary *Harley* presented to the House a Representation from the Lords Commissioners of Trade and Plantations, relating to the Trade with *Flanders*: And Extracts of Letters from Mr. *Stepney*, Her Majesty's Envoy extraordinary at *Brussels*, relating to Trade: The Consideration whereof was referred to the Committee of the whole House, who were to Consider of the Trade of this Kingdom. Then a Bill for Suppressing of all New Glais-Houses, Brew-Houses, Dying-Houses, Melting-Houses for Tallow, and Pot-Houses, erected since the beginning of this Parliament, within a Mile of any Part of the Palaces of *Whitehall* and *St. James's*, and for preventing the Setting up such Houses within the like Distance for the time to come, was read a Second time: And a Motion being made, and the Question put, that the Bill be committed, it passed in the Negative.

The next \* day the Commons Resolv'd. 'That\* Jan 17th  
'an humble Address be presented to Her Majesty,  
'That She would be pleased to give Order that the  
'Papers relating to the Fifty Thousand Pound for  
'the Duke of *Savoy* and to the Forty Seven Thousand Five Hundred Pound, a Loan to the Emperor: as also the Particulars of the Sixty Three  
'Thousand Six Hundred and Sixty One Pound  
'Thirteen Shillings and Six Pence for the Pay, Levy-Money and Contingences for the Expedition,  
'under the Command of the Earl of *Rivers*, might  
'be laid before this House.

Three days † after Mr. *St. John*, by the Queen's † Jan. 21st  
Command presented † to the House, *An Account of the Charge of Maintaining 6360 Men of the King of Spain's Troops, for Six Months, and other Necessary Expenses attending the said Troops; as also for the Support of the said King, and his Retinue: Which was refer'd to the Grand Committee for the Supply,*

On the 21st of *January* the Commons, in a Committee of the whole House, took the Trade of this Kingdom into consideration, and came to this Resolution: 'That the Act of the Thirteenth and Fourteenth Years of King *Charles* the Second, and all other

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the Acts prohibiting the Importation of Foreign Laces made of Thread, (except such as are made in the Dominions of the *French King*) be repealed, so far as they relate to such Laces.

† Jan. 22d.

The next \* day the House agreed to that Resolve; and in the same Sitting, Mr. Secretary *Harley* presented to the House a Copy of Count *Briançon's* Memorial, March 31, 1706. And

Several  
Papers laid  
before the  
House of  
Commons.

A Translation of the same.

An Answer to Count *Briançon's* Memorial April 2, 1706.

A Translation of a Letter from Mr. Secretary *Harley* to Count *Briançon*, Envoy Extraordinary from the Duke of *Savoy*, dated April 2, 1706.

A Copy of a Letter from Mr. Secretary *Harley* to the Lord-Treasurer, April 12, 1706.

A Copy of Count *Gallas's* Memorial of Aug. 24.

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A Translation of a Memorial to her Majesty from the Imperial Envoy, August, 24, 1705.

An Answer to Count *Gallas's* Memorial, August 29. 1705.

A Translation of the Answer of Count *Gallas's* Memorial of August, 29, 1705.

The Titles thereof being read, Mr. *Bridges* presented to the House, a Copy of a Warrant for Twenty Five Thousand Pound to Sir *Theodore Jansen*, remitted by him to the Duke of *Savoy*, for extraordinary Charges of the War in *Italy*.

A Copy of a Warrant for Twenty Five Thousand Pound to Sir *Theodore Jansen*, remitted by him to the Duke of *Savoy*, for the extraordinary Charge of the War in *Italy*.

A Copy of a Warrant for Forty seven Thousand Five Hundred Pound to Sir *Theodore Jansen*, to be remitted to *Italy* for the Service of the War there, and by way of Loan to the Emperor. And a Copy of an Acquittance from the Emperor's Paymaster General for Two Hundred Thousand *Venetian Bank Ducats*.

Mr. *St. John* presented also to the House, Extraordinary Charges on account of the Expedition under the Earl *Rivers*.

And

And the Title thereof being read, the said Papers were order'd to lie up on the Table to be perus'd by the Members of the House.

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On the 23d of the same Month, Sir *William Ashurst* reported from the Committee to whom the Petition of the Royal Lustring Company was referred, That the Committee having heard the Petitioners, the Committee had come to several, Resolutions, which they had directed him to report to the House, which he read in his Place, and afterwards deliver'd in at the Table, where the same were read, and agreed unto by the House, and are as follows,

1. 'That by the Encouragement of the several Acts of Parliament made for the Benefit of the said Lustring Company, the said Manufacture doth equal, if not exceed that of *France*.

2. 'That since the making of the late Act in the Third and Fourth Years of Her present Majesty's Reign, for Prohibiting all Trade and Commerce with *France*, the said Manufacture hath been under great Discouragements by Doubts which have risen, whether the Act of Prohibition has not repealed or made ineffectual the said several Acts of Parliament, relating to the Lustring Manufacture in this Kingdom.

3. 'That some Provision be made to put the Royal Lustring Company in as good a condition as they were, before the making of the said late Act of Prohibition.

Whereupon it was order'd, 'That Leave be given to bring in a Bill for the better Encouragement of the Lustring Company, and that Sir *William Ashurst* and Mr. *Peyton* do prepare and bring in the Bill.

On the 27th of *January*, Mr. *Coniers* reported from the Committee of the whole House, the following Resolutions about the Supply:

1. 'That 50000 l. be granted to defray the like Sum advanc'd by Her Majesty to the Duke of *Savoy*, for the better defence of *Turin*, and for the Service of the War in *Italy*, in the Year 1706.

2. That 47500 l. be granted to defray Her Majesty's share of a Loan to the Emperor for the Service of the War in *Italy* in the Year 1706.

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3. That

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3. That Sixty Three Thousand Six Hundred Sixty One Pound, Thirteen Shillings and Six Pence be granted, for the Levy-Money, Pay, and Contingences of the Forces in the Expedition under the Command of the Earl Rivers.

4. That Three Thousand and Fourteen Pound be granted, to defray Her Majesty's Expence for the Pay of the General Officers for a Body of 13000 Men of the Troops of the King of Portugal, pursuant to Treaty in that Behalf, to December 23, 1706.

5. That 3520 l. 16 s. 8 d. be granted towards defraying Expences relating to the Garrison of Gibraltar in the Year 1706.

6. That 26692 l. 13 s. 10 d. be granted for defraying Her Majesty's Share of the Pay of 3000 Palatine Troops, pursuant to the Treaty with the Elector Palatine, from the Seventeenth of March 1705-6, to the Twenty Third of December following.

7. That 37012 l. 7 s. 6 d. be granted, to defray Her Majesty's Share of the *Agio Bread* and Forrage for Twelve Thousand Prussians imployed in Her Majesty's Service in the Netherlands.

8. That 20000 l. be granted, for an Additional Subsidy to the Landgrave of Hesse Cassel for Augmenting his Troops, and Marching into Italy, and for defraying the Expence of Bread Waggon and Carriages, and of Hospitals for the Sick and Wounded, for the Service of the Year 1707.

9. That 19755 l. 9 s. 6 d. be granted, to defray Her Majesty's Proportion of the *Agio Bread* and Forrage for the said Twelve Thousand Prussians, from their coming into Her Majesty's Service until December 23, 1706.

10. That 11780 l. 18 s. be granted, to defray Her Majesty's Proportion of the Extraordinary Charge for the Augmentation Troops of the Landgrave of Hesse Cassel, imploy'd in Italy from the Twentieth of May to the Twenty Third of December, 1706.

11. That 24607 l. 13 s. 5 d. be granted for Levy-Money to recruit the Horses of the Foreign Troops in Her Majesty's Pay that were kill'd, or dy'd of the common Distemper in Flanders in the Year 1705.

That

12. 'That 1146 Pound be granted, for a further Allowance of Levy-Money for Recruiting the Horses of the *English* Horse and Dragoons lost in the same Campaign in *Flanders*. A. C. 1706.

13. 'That 7573 l. be granted for Levy-Money to Recruit the Horses of the *English* Horse and Dragoons, and for Officers Horses which dy'd of the common Distemper, after the said Campaign, between the Thirty First of *October* 1705, and the latter End of *February* following.

14. 'That 11298 l. Pound be granted for Levy-Money to recruit the Horses of the *English* Horse and Dragoons, which were kill'd and dy'd of the common Distemper in the *Low-Countries*, between the First of *May* and the Thirty First of *December* 1706.

15. 'That 16055 l. 12 s. 6 d. be granted to defray Her Majesty's Share of the Levy-Money for recruiting the Horses of the *Danish* Troops, in the Pay of *England* and *Holland*, that were lost in the same manner between the First of *January* 1705, and the Last of *October* 1706.

16. 'That 1775 Pound be granted to make good the like Loss sustained by the Troops of *Hanover* in Her Majesty's Pay during the last Campaign in *Flanders*.

17. 'That 150000 Pounds be granted towards prosecuting the Successes of King *Charles* the third, for Recovery of the Monarchy of *Spain* to the House of *Austria*.

The said Resolutions being severally read a Second time, were all, (except the Fifth Resolution which was disagreed to) upon the Question severally put thereupon, Agreed unto by the House.

A Motion being made, and the Question being proposed, That the several Sums of Money for the extraordinary Services for the Year 1706, which have been agreed to by the House, have been Advanced and Expended for the Preservation of the Duke of Savoy, for the Interest of King *Charles* the Third in *Spain* against the common Enemy, and for the Safety and Honour of the Nation: And the Previous Question being put, That that Question be now put, it was resolved in the Affirmative. Then the main Question being put, it was Resolv'd, by a Majority of 150 Voices against

A. C. 105. That the several Sums of Money for the Extraordinary Services for the Year 1706, which have been agreed to by this House, have been Advanced and Expended for the Preservation of the Duke of Savoy, for the Interest of King Charles the Third in Spain against the common Enemy, and for the Safety and Honour of the Nation.

\*January 28th *Atts* passed. The next \* day, the Queen came to the House of Peers, with the usual Solemnity, and the Commons being sent for up, Her Majesty gave the Royal Assent to an *Act* for Settling upon John Duke of Marlborough, and his Posterity, a Pension of Five Thousand Pound per Annum, for the more Honourable Support of their Dignities, in like manner as his Honour and Dignities. and the Honour, and Mannor of Woodstock, and House of Blenheim, are already limited and settled: And to four private Bills; after which Her Majesty made the following Speech to both Houses.

*The Queen's  
Speech to  
both Houses.*

My Lords and Gentlemen,

**H**AVING Acquainted You at the Opening of this Session, that the Treaty for an Union between England and Scotland, which had been Concluded here by the Commissioners Appointed for that Purpose, in pursuance of the Powers given by the Parliaments of both Kingdoms, was then under the Consideration of the Parliament of Scotland, I can now, with great Satisfaction, Inform You, that the said Treaty has been Ratified by *Act* of Parliament in Scotland, with some Alterations and Additions.

I have directed the Treaty agreed to by the Commissioners of both Kingdoms, and also the *Act* of Ratification from Scotland, to be laid before you, and I hope it will meet with your Concurrence and Approbation.

Gentlemen of the House of Commons,

It being agreed by this Treaty, that Scotland is to have an Equivalent for what that Kingdom is obliged to contribute towards paying the Debts of England, I must Recommend to you, that in case you Agree to the Treaty, you would take care to provide for the Payment of the Equivalent to Scotland accordingly.

My Lords and Gentlemen,

You have now an Opportunity before you, of putting the last Hand to a happy Union of the Two Kingdoms, which I hope will be a lasting Blessing to the whole Island,

a great Addition to its Wealth and Power, and a firm Security to the Protestant Religion. A. C.

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The Advantages which will accrue to Us all, from an Union, are so apparent, that I will add no more, but that I shall look upon it as a particular Happiness, if this great Work, which has been so often attempted without Success, can be brought to Perfection in my Reign.

The Commons being return'd to their House, the Lord Coningsby, by the Queen's Command, presented to the House the Articles of Union agreed upon by the Commissioners, the Act of Parliament in Scotland for the Ratification of them, and a Copy of the Minute Book of the Proceedings of the said Commissioners, which were order'd to be printed. Then a Motion being made, and the Question put, That an Address be presented to Her Majesty, that she would be pleas'd to give Orders, that the Minutes of the Proceedings of the former Commissioners, appointed in the First Year of Her Reign, to treat of an Union, be laid before the House; it passed in the Negative: It was afterwards Resolved, That an humble Address be presented to her Majesty, returning her Majesty the humble Thanks of the House for her most Gracious Speech, that Day, to both Houses of Parliament, and for Communicating to this House the Articles of Union, and the Act of Parliament in Scotland for Ratification thereof.

This Address being presented accordingly, by Mr. Chancellor of the Exchequer, Her Majesty answer'd, She was well pleas'd, that what she had done was so much to the Satisfaction of that House.

The Treaty of Union, and Proceedings relating to the same, having likewise been communicated to the House of Peers, their Lordships upon the Archbishop of Canterbury's Motion, order'd a Bill to be brought in for the Security of the Church of England; which being read a second time on the 3d of February, (the Queen and Prince being present,) a Question was put, whether it should be an Instruction, by the leave of the House, to insert in the Bill, the Act made the 25 Car. II. Entituled, An Act for the preventing Dangers which may happen from Popish-Recusants: Which was resolv'd in the Negative, by a Majority of 63 Voices

A. C. against 33. After which their Lordships went thro' the Bill.

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The next \* Day, the House of Commons resolv'd itself into a Committee of the whole House, to consider of the Articles of Union, and Act of Ratification of the Parliament of Scotland, and Mr. Compton being chosen Chairman, Mr. Charles Caesar open'd the Debate, and rais'd, tho' in modest Terms, some Scruples against the Union. He was seconded by Sir

J——n P——n, who said, ' That the Business of the Union, that was now before them, being of the highest Importance, required therefore the most deliberate Consideration; That with

Sir J——n P——n's Speech.

' Relation thereto People, without Doors, had been for a long time, tongue-tied by a special Order of Council, which not reaching them within those Walls, he would very freely impart his Thoughts about it. That, for his part, he was absolutely against this Incorporating Union, which he said was like the marrying a Woman against her Consent : An Union that was carried on by Corruption and Bribery within Doors, by Force and Violence without ——— Many Members taking Offence at this bold Expression, which so highly reflected both on her Majesty's Ministers, and the Scotch Commissioners and Parliament, Sir J——n P——n said, he was told, that in Scotland they said the Union was carried by Bribery and Force ; Adding, That the Promoters thereof, in thus basely giving up their independent Constitution, had actually betray'd the Trust repos'd in them, and therefore he would leave it to the Judgment of the House to consider, whether or no Men of such Principles were fit to be admitted to sit amongst them ? That among the many Inconveniencies and irreconcilable Contradictions this Union was liable to, he would only take notice of this material One, viz. That Her Majesty, by the Coronation Oath, was obliged to maintain the Church of England, as by Law established, and bound likewise, by the said Oath, to defend the Presbyterian Kirk of Scotland, in one and the said Kingdom : Now, said he, after this Union is in force, who shall administer this Oath to her Majesty ? 'Tis not the Business of the Scotch, who are incapable of it, and no Well-wishers to the Church of Eng-

land :



land: 'Tis then only the part of the Bishops to do it; And can it be supposed those Reverend Prelates will, or can, act a Thing so contrary to their own Order and Institution, as thus to promote the Establishment of the Presbyterian Church Government in this United Kingdom? He urged, That the Church of England being establish'd *Jure Divino*, and the Scotch pretending that their Kirk is also of *Jure Divino*, he could not tell, how two Nations that clash'd in so essential a Point could Unite: And therefore he thought it proper to consult the Convocation about this Critical Point, Colonel H——y M——t in Opposition to Sir J——n P——n said, that he knew of no other *Jure Divino* than God Almighty's Permission: In which Sense it might be said, that the Church of England and the Kirk of Scotland were both *Jure Divino*, because God Almighty has permitted that the first should prevail in England, the other in Scotland: And that the Member who spoke last, might, if he thought fit, consult the Convocation, for his own particular Instruction; but that it would be derogatory from the Rights of the Commons of England, to advise on this Occasion, with an inferior Assembly, who has no share in the Legislature. Little was said in Answer to this Speech; only some Members moved, That the first Article of the Treaty, which implies a Peremptory Agreement to an Incorporating Union, be postponed, and that the House should proceed to the Consideration of the Terms of that intended Union contain'd in the other Articles: Which Motion being rejected, by a great Majority, several Members of the House, and the rest read and approved, without Opposition, the 1st, 2d, 3d and 4th Articles of the Treaty, and read the 5th.

On the 8th of February the Commons, in a Committee of the whole House, went through, and approv'd the remaining Articles of the Treaty. The only Objection the H——gh-C——h-P——y raised, on this Occasion, was that they went *Post-Haste* in a Business of the highest Importance. To which it was answer'd, That Deliberation always supposes Doubts and Difficulties, but no material Objections being offer'd against any of the Articles, there

A. C. 'was no room for Delays. Some H—gh—C—h—  
 1706. Members still crying out *Post-Haste, Post-Haste*, Sir  
 Thomas Littleton very smartly, pursued the Alle-  
 gory, and said, 'They did not ride *Post-Haste*, but  
 a good easy Trot; and, for his Part, as long as  
 the Weather was fair, the Roads good, and their  
 Horses in Heart, he was of Opinion, they ought  
 to jog on, and not take up till it was Night.  
 \* Feb. 10. Two \* days after, the Commons, in a Com-  
 mittee of the whole House, went upon the Engrossed  
 Bill from the Lords, Entituled, *An Act for the Secu-*  
*ring the Church of England, as by Law Established*: And  
 a Motion being made, and the Question propos'd,  
 That it be an Instruction to the said Committee,  
 that they might receive an Amendment or Amend-  
 ments, for the particularly naming the Act of the  
 Thirteenth Year of King Charles the Second, *For the*  
*well Governing and Regulating Corporations*, as to so  
 much as is not repealed, and also the Act of the  
 Twenty Fifth of the said King, *For preventing Dan-*  
*gers which may happen from Popish Recusants*; An  
 Amendment was propos'd to be made by adding to  
 the Question these Words, (*Although effectually and*  
*sufficiently provided for in the Bill.*) The Question  
 being put, That those Words be added to the Que-  
 stion. it was resolv'd in the Affirmative. Then the  
 main Question being put, that it be an Instruction  
 to the said Committee, that they may receive an A-  
 mendment or Amendments for the particularly na-  
 ming the Act of the 13th Year of King Charles the  
 Second, *For the well Governing and Regulating Corpora-*  
*tions*, as to so much as is not repealed; and also the  
 Act of the Twenty Fifth of the said King, *For pre-*  
*venting Dangers which may happen from Popish Recu-*  
 + Feb. 11. *sants*, (altho' effectually and sufficiently provided for  
 in the Bill) it pass'd in the Negative. The next  
 day the said Bill was read the third time; pass'd  
 without any Amendments, and sent back to the  
 Lords; after which the Commons receiv'd the Re-  
 port of their Grand Committee, with their Resolu-  
 tions, containing their Approbation of the Articles  
 of the Union, as amended and ratify'd by the Par-  
 liament of (B) Scotland, to which the House a-  
 greed, without any Amendment; and order'd a  
 Bill to be brought in to ratify the same.

(B) See the  
 Appendix,  
 Numb.  
 XII. p.  
 106.  
 The Treaty  
 of Union  
 approved  
 by the Com-  
 mons.

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On the 13th of the same Month, the Queen went to the House of Peers, with the usual Solemnity, and the Commons attending, her Majesty gave the Royal Assent to the following Bills:

1. An Act for Securing the Church of England as by Law Establish'd. *Acts passed Feb. 13.*

2. An Act for Repealing a Clause in an Act, Entituled, An Act for the better Apprehending, Prosecuting and Punishing Felons that commit Burglaries, House-breaking, or Robberies in Shops, Ware-Houses, Coach-Houses or Stables, or that steal Horses.

3. An Act for Regulating and Ascertaining the Duties to be paid by the Unfreemen Importers of Coals into the Port and Borough of Great Yarmouth in the County of Norfolk. And

4. An Act to enable the Lord High Treasurer, or Commissioners of the Treasury for the time being, to compound with Benjamin Nicoll, Citizen and late Merchant of London, and his Sureties, for the Debt owing by him to Her Majesty.

The next † day, the Grand Committee of the House of Commons, who had sat several Times on Ways and Means to raise the Supply, resolv'd, *Feb. 14. Resolution about the Supply.* That towards the Supply granted to her Majesty a Fund be provided for securing an Interest not exceeding 4 l. 10 s. per Cent, per Annum, for 1500000 l. to be circulated into Exchequer Bills, redeemable by Parliament upon a Year's notice, and to be Specie Bills upon their First Issuing, and to continue so during their Currency.

This Resolution was reported to the House, and approv'd the 15th of February: Upon which day there was a Solemn Debate in the House of Peers, about the Treaty of Union, the Queen being present, as a private Person. Their Lordships having resolved themselves into a Committee of the whole House; and the Bishop of Salisbury being call'd upon by the Earl of S——d to take the Chair, the Debate, on the first Article, was open'd by the Earl of R——r, who acquainted the House, 'he had many things to object to several of those Articles, which, he said, was all one to him, whether their Lordships would please to receive them now, or when those Articles came more properly under their Consideration. The Earl of A——y moved, that the

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'the first Article might be postpon'd, it being impossible for him to give his Vote to it, before he knew, and was thoroughly satisfied, wherein this Union was to consist. Several others were of that Opinion, among whom the Bishop of B—— and W—— spoke much to the same Effect. The Earl N——m excepted against the Name of *Great Britain*, alledging 'twas such an Innovation in the Monarchy, as totally subverted all the Laws of *England*, and therefore moved, That the Judges Opinion might be asked about it; wherein he was seconded by several other Members: Hereupon the Judges being severally asked their Opinions in that respect, unanimously declared, *They could not conceive that in any ways altered or impaired the Constitution of this Realm, whose Laws, they were of Opinion, must remain entirely the same, as well after as before the Union, except such as were altogether inconsistent with, and directly contrary thereto.*

The Lord *Haversham*, who of late Years had made himself famous by his Speeches on several Critical Occasions, to be sure, would not be silent on This, but spoke as follows:

The Lord My Lords,

*Haversham's  
Speech.*

‘WHAT my noble Lord has mention'd to your Lordships, occasions my standing up; I find my self under the same Difficulties; I have several Things to say to this Matter of the Union to your Lordships, and 'tis very indifferent to me, when I offer them. *I have a Right of speaking my Thoughts, and entering my Protest too, to any thing I dislike, and I shall certainly find some time to do so before this Matter can pass into a Law.* I am in your Lordships's Judgment, Whether you will allow me to speak what I have to say, now.

‘My Lords, With what Disposition I come hither, I hope may be evidenc'd by the Motion I made your Lordships last Year, for Repealing certain Clauses that were grievous to Scotland. I would do any thing that were for the Benefit and Good of both Nations.

‘These Articles come to your Lordships with the greatest Countenance of Authority, that I think it's possible any thing can come; your Commissioners



missioners have agreed to them; the Scots Parliament has, with some few Amendments, Ratify'd them; and the Queen her self from the Throne, approves of them; and yet you must give me leave to say, *That Authority, though it be the strongest Motive to incline the Will, is the weakest Argument in all the World to convince the Understanding.* 'Tis the Argument the Church of Rome makes use of for their Superstitious Worship, where there are ten Ave-maries to one Pater-noster; just as unreasonable as if ten times the Application and Address were made to a SHE-FAVOURITE, as to the Person of the Sovereign, which is a kind of State Idolatry.

'I would not, my Lords, be misunderstood, as if I were against a Union. A Federal Union, a Union of Interest, a Union in Succession, is what I shall always be for. Nay, were it whether a People inhabiting the same Island, speaking the same Language, and having the same Religion, should be under the one and the same Form of Policy and Government, I cannot see how any Man could be against it; but this is a Matter of a quite different Nature; it is, Whether two Nations independant in their Sovereignties, that have their distinct Laws and Interests, and what I cannot forget, their different Forms of Worship, Church-Government and Order, shall be united into one Kingdom.

'A Union made up, in my Opinion, of so many mismatch'd Pieces, of such jarring incongruous Ingredients, that should it ever take effect, I fear it would carry the necessary Consequence of a standing Power and Force, to keep us from falling asunder, and breaking in pieces every Moment: For as my Lord Bacon well observes, (whom I take to have been a very great Man, though sometimes the Courtier got the better of the Philosopher.) A Unity, says he, that is piec'd up by a direct Admision of Contraries in the Fundamental Points of it, is like the Toes of Nebuchadnezar's Image, which were made of Iron and Clay; they may cleave together, but can never incorporate.

'Another Reason why I am against an Incorporating Union, is for the Sake of the good old English Constitution, justly allow'd to be most equal and best poiz'd Government in all the World; the peculiar

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‘*cular Excellency of which lies in that well proportion’d Distribution of Powers, whereby the Greatness of the Monarch, and the Safety of the People, are at once provided for. And it is a Maxim in all Policy, That the surest way to preserve any Government, is by a strict Adherence to its Principles: So that whilst this Balance of Powers is kept equal, the Constitution is safe; but who can answer what Alteration so great a Weight, as Sixty One Scots Members, and those too return’d by a Scots Privy-Council, when thrown into the Balance, may make?*

‘*Besides, my Lords, I must own I am apprehensive of the Precedent, and know not how far it may be carried hereafter, or what Alteration future Parliaments may think fit to make. It is evident, by the 22th Article, that above a Hundred Scotch Peers, and as many Commoners, are excluded from Sitting and Voting in the British Parliament; who perhaps as little thought of being so a Year or two ago, as any of your Lordships do now; for they had as much Right by Inheritance of Sitting there, as any one Lord in this House has of Sitting here; and that Right too, as well and as strongly fence’d and secured to them by the Fundamental Laws of their Kingdom, by Claim of Right, and Act of Parliament, which made it Treason to make any Alteration in the Constitution of that Kingdom; and yet have they not lost this Privilege? And what one Security has any Peer of England, by the Laws of this Land, to his Right and Privilege of Peerage, that those Lords had not? My Lords the Bishops have once been Voted out of this House by the Temporal Lords already, and who knows what Question may come hereafter? I will venture my Life in Defence of the Church of England, and yet, at the same time, own my self an Occasional Conformist. But if my Lords the Bishops, will weaken their own Cause so far, as to give up the two great Points of Episcopal Ordination and Confirmation; if they will Approve and Ratify the Act for securing the Presbyterian Church Government in Scotland, as the true Protestant Religion and Purity of Worship, they give up that which has been contended for between them and the Presbyterians this Thirty Years; and which I will undertake to prove to my Lords the Bishops,*

Bishops, has been defended by the greatest and learnedest Men in the Church of England. I hope, when 'tis proper, my Lords will please to give some Light to one who desires Instruction, that I may not Ignorantly do any thing to their Prejudice in this Matter. A. C. 1706.

There is another Reason why I am against this Union, because I cannot think it an entire Union. The exempted Articles, I mean the Twentieth Article, whereby Heritable Offices and Superiorities are reserv'd; And also the One and Twentieth; both which Oliver by Act of State was so wise as to abolish: Especially their Act for securing their Presbyterian Church-Government, and General Assemblies, seem to me like those little Clouds in a warm calm Summer's Day, that are generally the Seeds and Attractives of approaching Tempests and Thunder. I the rather take notice of these, because though the Articles of Union are ratify'd by the Scotch Parliament, yet the Bulk and Body of that Nation seem to be against them. Have not the Murmurs of the People there been so loud as to fill the whole Nation? And so bold too, as to reach even to the Doors of the Parliament? Has not the Parliament it self thought fit to suspend their beloved Clause in their Act of Security, for arming their People, during the Session? Nay, has not the Government, by Advice of Parliament, set out a Proclamation, which I have here in my Hand, pardoning all Slaughter, Bloodshed, Maiming, &c. that is committed upon any who are found in any Tumults there, and discharging all Prosecution for the future? I do not mention this, to find Fault with any thing that is done in Scotland, but only to shew to your Lordships, that when such an unusual Proclamation as this, is set out by the Advice of Parliament, and cannot stay the Forms of a Law, when we know, that upon extraordinary Occasion, if it be but to grace a Complement, a Bill may be read Three times in one Day: Sure, my Lords, it shews a very great Ferment that requires so very speedy an Application. After all, has not what we desire, I mean their being upon the same foot of Succession with us, been offer'd without this Union? In short, my Lords, I think an Incorporating Union one of the most dangerous Experiments to both Nations; in

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‘ which, if we happen to be mistaken, however we  
‘ may think of curing Things hereafter, the Error  
‘ is irretreivable.

‘ My Lords, this is the last time that I believe I  
‘ shall ever trouble your Lordships in an English *Par-*  
‘ *liament*, give me leave therefore to say but one Word.

‘ In King *Charles* the First’s time, the Cavaliers  
‘ were the Persons that ventured their Lives, and  
‘ lost their Estates to serve him. And in King  
‘ *Charles* the Second’s time they were forgot, and left  
‘ Starving. At the Restoration, the Presbyterians  
‘ were as zealous for that as any Men whatever, and  
‘ none were more Persecuted all his Reign. To-  
‘ wards the latter end of that Reign, the Bishops  
‘ threw out the Bill of Exclusion, and King *James*  
‘ put them into the Tower. At the Revolution, the  
‘ *Londonderry-Men*, &c. were the Persons that made  
‘ the first and noble Stop to King *James* in Ireland;  
‘ and I myself have fed some of them at my own Ta-  
‘ ble, when they were Starving, with the greatest  
‘ Commendations and Promises in their Pocket;  
‘ which I have seen under King *William*’s own Hand.  
‘ In the last Reign, every Body knows who they were that  
‘ made their most constant Court at St. James’s, and we  
‘ see in what Favour they are in at present.

‘ Now there is a great deal of Zeal for this Union,  
‘ I wish from my Soul that the Advantages may at-  
‘ tend it of Tranquility and Security, Power, Peace  
‘ and Plenty, as is intended by it; but yet it is  
‘ possible Men may be mistaken. I won’t say  
‘ they will ever repent it; but I will take leave to  
‘ say, what I have formerly said in this place, That  
‘ what has been, may be.

The Debate being over, the Question was put,  
whether the Consideration of the first Article of the  
Treaty of Union should be postpon’d till all the other  
Articles had been examin’d: But the Negative car-  
ried it by a Majority of 72 Voices, against 22; and  
so the first six Articles were read and approv’d, and  
the Consideration of the rest adjourn’d to the Wed-  
nesday following.

The six first  
Articles  
read and  
approved.

The Debate  
resum’d,  
Feb. 19.

Accordingly on the 19th 8f February, the Lords  
resum’d the Consideration of the Treaty of Union,  
and the Lord N——— and G——— observed, with  
relation



relation to the 9th Article, 'the small and unequal  
'Proportion Scotland is to pay to, the Land Tax  
'urging, that *Wales*, as poor a Country, every whit,  
'as that, and of a much lesser Extent, paid to the  
'full as much again, and yet sent not much more  
'than half the number of Representatives in Parlia-  
'ment, which were granted to *Scotland*, and for that  
'reason his Lordship said, he could not agree to this  
'Article. He was answer'd by my Ld H—x, That  
'the number of Representatives was no Rule to go by;  
'since there was the County of *Cornwall* in *England*, that  
'paid not near so much towards the Land Tax, as that  
'of *Gloucester*, and yet sent almost 5 times as many  
'Members to Parliament as the latter did. That it  
'was very true the Quota of *Scotland* was very small  
'and unequal, in comparison to what was paid in  
'*England*; but that the *English* Commissioners could  
'not induce the *Scotch* ones to agree to any more,  
'upon Account of several Impossibilities on their  
'side; That we could not expect to reap the like  
'Advantages of every Article of the Treaty, and  
'that if they had the better of us in some few, we  
'were infinitely recompensed by the many Advan-  
'tages which did accrue to us from the whole.  
Here again the House divided on this Article, there  
being 70 Contented with it, against 23 not Con-  
tents, and so having run over the 4 following ones,  
the consideration of the rest was further adjourned  
to Friday, Feb. 21. when (the Queen being present)  
the Debate chiefly run on the 15th Article.

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The Lord

H—x's

Speech.

The Lord

H—x's

Speech.

The 9th,

10th, 11th,

12th and

13th Arri-

cles ap-

proved.

The Debate

continued

Feb. 21.

The Earl of

N—m's

Speech.

The Earl of N—m observed, it consisted of  
two Parts, viz. a certain Grant of Money, and the  
Application thereof, in reference to which he said,  
'that it was highly unreasonable, that the *Scotch*, who  
'were by the Treaty let into all the Branches of our  
'Trade, and paid so little towards the Support of the  
'Government, and of a most expensive and bloody War  
'should moreover have an Equivalent of 398085 l.  
'given them for coming into that Treaty. He in-  
'sisted much upon that Argument, and took notice, as  
'to the Disposal of this Equivalent, That that part of  
'it which was to be given to the *Darien* Company,  
'was so order'd as that it might be swallowed up  
'by a few Persons, without any particular Regard  
'to the Indemnifying every private Sufferer in that  
'unhappy

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1706.*The Lord  
H—x's  
Speech.**The 15th,  
16th, 17th,  
18th and  
19th Arti-  
cles ap-  
proved.  
The Debate  
on the Ar-  
ticles of  
Union con-  
tinued,  
Feb. 24.  
The Lord  
Th—t's  
Speech.*

unhappy Enterprize. The Lord H—x answer'd, That this Equivalent could not be lookt upon as a Gift, but as an actual Purchase of the *Sets* Revenue and Customs, which by this Union, were to be apply'd to the Payment of the Debts of *England*; and that they were no more Gainers by it, than we were here by the Sale of Annuities at 15 or 16 Years Purchase; That as to the disposal of the Money, it being their own, it was but reasonable they should have the Liberty of applying the same, as they thought most convenient, the *English* Commissioners being no ways concern'd therein; whose Care, nevertheless, and great Prudence had been such, that they made Provision it should not be disposed of, but by certain Commissioners, who should be accountable for the same to the Parliament of *Great Britain*. Then their Lordships proceeded as far as the 19th Article, and so adjourn'd to *Monday, Feb. 24.* when (the Queen being likewise present) the Lord Th—t, on the 20th Article, acquainted their Lordships, That himself having an *Heretable Office* here in *England*, by being perpetual Sheriff of the County of *Westmorland*, he would be glad, with their Lordships leave, to have the Opinion of the Judges, about the Preservation of that his Right, there being no Provision made in this Article for *Heretable Offices* in *England*. The Lord great Chamberlain seconded him in that Motion, saying, He had the Honour likewise of having such an *Heretable Office*, as was then in Question, about the Preservation whereof he had the very same Doubts and Scruples with the Noble Peer that spoke last; whereupon it was agreed, that the Judges should deliver their Opinion about it, which they accordingly did, from the puisny Judge, to the Lord Chief Justice, whose Answers were near the same, with what they had declar'd to the House, to be their Opinion, with respect to the first Article.

*The Earl of  
R—r's  
Speech  
about the  
Scotch  
Peers.*

The Earl of R—r, after reading the 22d Article, declar'd, He look't upon it as *incongruous, contradictory to, and inconsistent with itself*. That there were 16 Peers to be return'd to the House of Lords in the Parliament of *Great-Britain*, who were Peers and no Peers; That being all Peers by right of *Inheritance*,

heritance, they were nevertheless made here *Elective*, he took to be divesting them of their Peerage; because not being sure of being always elected to every Parliament of *Great Britain* they consequently must lose, when left out, the Benefit of Sitting in Parliament, what was ever deemed an inseparable Right of the Peerage; That the rest of the Nobility of *Scotland*, to the Number of above 100, were thereby manifestly injured; and that for his part he wonder'd very much, how the *Scots* came to accept of such unreasonable conditions; or how their Lordships could entertain the Thoughts of permitting such *Peers by Election* to sit among them.

The Lords N — m, N — b and G — y &c. v. very much enforc'd this Topick, adding, 'That as one might very well suppose, that those *Scots* Peers would be such as were addicted to the *Kirk*, it might prove of a dangerous Consequence to the Church of *England*. The Earl of W — n reply'd 'That tho' they were all never so much of the *Kirk* Party, yet there was no reason to fear, but they would also be very well disposed for the Church of *England*, and stand up in its Defence on all Occasions; since there were even some sitting amongst their Lordships who would venture their Lives for the Church of *England*, and yet openly declared themselves to be at the same time *Occasional Conformists*. The Lord H — m very right-

The Earl of W — n's Speech.

ly judging he was hinted at by that Noble Peer, stood up to inform the House, what he understood by an *Occasional Conformist*; in which Explanation he appear'd somewhat gravell'd: For after having made a long Encomium on the *Episcopal Order*, which he took to be the best and most conformable to primitive Christianity, he gave no less Commendation to all the Protestant Churches abroad, and to the *Kirk* of *Scotland* itself, in Particular; which, he said, was a true Protestant Church.

The Lord H — m's Speech about Episcopacy and Presbytery

'The Bp. of B — and W — after begging Pardon for troubling their Lordships on this Account; and saying that if he spoke any thing out of the Way, he was under their Correction, declared, that for his Part, he was altogether against this Union, which he could wish with all his Heart, had been compleated an hundred Years ago; be-

The Bishop of B — and W — s's Speech against the Union.

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cause, said he, all the Ferment and Discord which are likely to ensue upon it, would by this time have had their Course; That he could no better compare it, than to the mixing together strong Liquors, of a contrary Nature, in one and the same Vessel, which would go nigh being burst a sunder, by their furious Fermentation; That as their Bench was always reckoned the *Dead-Weight of the House*, so those 16 Peers being admitted to sit therein, would more effectually make it so; especially in any Future Debates relating to the Church, towards which they could no ways be supposed to be well affected; and therefore he was humbly of Opinion, that some Provision might be made for debarring them of their Vote in any Church Matter that should hereafter come in Agitation. The Lords *H—x S—rs* and others, made very pertinent Answers to those Objections, after which the Debate ended in a general Division of the House there being 71 Contents for the 22d Article against 22 not Contents. After the reading the last Article the Earl of *A—n* moved that the Judges Opinion might be asked, what Laws would be repeal'd by this Union, and what would remain in Force, but that Motion was rejected.

The 20th  
21st 22d.  
23d. 24th.  
and 25th  
Articles ap-  
proved

The Earl of  
*N—m's*  
Speech.

Then the Earl of *N—m* stood up and begg'd their Lordships Pardon for having troubled them almost to every Article, Urging they were such material Objections occurring to his thoughts, as in Conscience he thought himself obliged to lay before the House; That as Sir John Maynard made this Compliment to the late King, at the Revolution, *That having buried, upon Account of his great Age, all his Contemporaries in Westminster-Hall, he was afraid, if his Majesty had not come, in that very Juncture of Time, he might have likewise out-liv'd the very Laws themselves*; So, if this Union did pass, as he had no reason to doubt, but it would most certainly pass, he might with as much Reason, and as justly affirm, *he had out-lived all the Laws and the very Constitution of England*; Concluding with a Prayer to God, to avert the dire Effects which might propably ensue from such an Incorporating Union.

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Three \* Days after, the Bishop of Sarum reported to the House of Lords, the Resolutions of their Grand Committee, for approving the Articles of Union, which were agreed to by a great Majority; but several Peers made and entered the following of Union Protests.

*approv'd by the House of Lords. But several Peers enter their Protests.*

Die Jovis, 27th Febr. 1706.

Dissentient. To the Ninth Resolution.

*I Dissent to every one of the 25 Resolutions.* } ' Because we humbly conceive  
Granvil. ' the Sum of 48000 l. to be charged on the Kingdom of Scotland,

*I Dissent to every one of the 25 Resolutions.* } ' as the Quota of Scotland, for a  
Haverham. ' Land Tax, is not proportionable to the 4 s. Aid granted by the Parliament of England; but

*I Dissent to the four last Resolutions; having not been present at the passing the others.* } ' if by reason of the present Circumstances of the Kingdom, it might have been thought it was not able to bear a greater Proportion, at this time, yet we cannot but think it unequal to this Kingdom, that it should be agreed, that when ever the 4 s. Aid shall be enacted by the Parliament of Great-Britain, to be raised on Land in England, that the 48000 l. now raised on Scotland, shall never be increased in no time to come, tho' the Trade of that Kingdom should be extremely improved, and consequently the Value of their Land proportionably raised, which in all Probability, it must do, when this Union shall have taken Effect.

*I Dissent to every one of the 25 Resolutions.* } ' North and Grey, Rochester,  
Stawell. ' Howard, Leigh, Guilford.

*I Dissent to every one of the 25 Resolutions.* } ' North and Grey, Rochester,  
Howard, Leigh, Guilford.

*Dissentient.*

To the 15th Resolution.

‘ Because we humbly conceive nothing could have  
 ‘ been more equal on this head of the Treaty, than  
 ‘ that neither of the Kingdoms should have been  
 ‘ burthened with the Debts of the other, con-  
 ‘ tracted before the Union, and if that Proposal  
 ‘ which we find once made in the Minutes of the  
 ‘ Treaty, had taken Place, there would have been  
 ‘ an Occasion to have imploy’d the Revenues of  
 ‘ the Kingdom of *Scotland* towards the Payment of  
 ‘ the Debts of *England*, those Revenues might have  
 ‘ been strictly appropriated to the Debts of the  
 ‘ Kingdom, and to any other uses within themselves  
 ‘ as should have been judged requisite, and there  
 ‘ would have been no need of an Equivalent of  
 ‘ very near 400000 *l.* to be raised on *England*,  
 ‘ within this Year, for the Purchase of those Re-  
 ‘ venues in *Scotland*, which however it may prove  
 ‘ to be but a reasonable Bargain, upon a strict Cal-  
 ‘ culation, there does not seem to have been a Ne-  
 ‘ cessity just now to have raised so great a Sum,  
 ‘ when this Kingdom is already burthen’d with so  
 ‘ vast Ones, for necessary Charges of the War.

*Rochester, North and Grey,  
 Guilford, Leigh.*

*Dissentient.*

To the 22d Resolution.

‘ Because we humbly conceive, in the first place,  
 ‘ That the Number of 16 Peers of *Scotland*, is too  
 ‘ great a Proportion to be added to the Peers of  
 ‘ *England*, who very rarely consist in more than 100  
 ‘ attending Lords, in any one Session of Parliament,  
 ‘ and for that Reason we humbly apprehend such a  
 ‘ number as 16, may have a very great Sway in the  
 ‘ Resolutions of this House, of which the Consequence  
 ‘ cannot now be foreseen.

‘ In the 2d place, we conceive the Lords of *Scot-*  
 ‘ *land*, who by Vertue of this Treaty, are to sit in  
 ‘ this House, being not qualified as the Peers of *Eng-*  
 ‘ *land*, are, must suffer a Diminution of their Dignity  
 ‘ to sit here on so different Foundations; their Right  
 ‘ of Sitting here, depending entirely on an Election,  
 ‘ and

and that, from time to time, during the Continuance of one Parliament only; and, at the same time, we are humbly of Opinion, that the Peers of England, who sit here by Creation from the Crown, and have a Right of so doing in themselves or their Heirs, by that Creation for ever, may find it an Alteration in their Constitution, to have Lords added to their Number, to Sit and Vote in all Matters brought before a Parliament, who have not the same (Right) of their Seats in Parliament, as the Peers of England have.

Buckingham, North and Grey,  
Leigh, Rochester, Guilford.

I dissent to the 1,  
4, 5, 6, 9, 15, 18, 19,  
21, 22, 23 and 25th  
Resolutions.

We dissent to the Resolution of passing the last Article; because there being no Enumeration of what Laws are to be repealed, it is Conceived too great a Latitude of Construction thereupon, is left to the Judges.

Abingdon, Leigh, North and Grey,  
Guilford.

On the 22d. of February, upon Mr. Bromley's Motion the Commons ordered, 'That it be an Instruction on to the Committee of the whole House, to whom the Bill for an Union between the Two Kingdoms of England and Scotland was committed, That they might receive a Clause that the two Universities of this Kingdom may continue for ever, as they now are by Law Establish'd. Then a Motion being made, and the Question put, 'That it be an Instruction to the said Committee, that they might receive a Clause to make the like Provision, that the Subjects of this Kingdom shall be for ever free of any Oath, Test or Subscription within this Kingdom, contrary to, or inconsistent with the true Protestant Religion, Government, Worship and Discipline of the Church of England, as now by Law Established, as is already provided for the Subjects of Scotland, with Respect to their Presbyterian Government; It passed in the Negative.

The same day Sir R. M. moved, That a Clause should be inserted in the said Bill, in  
G. g 3 Favour

A. C. Favour of the Convocation of the Clergy, as Part of  
1706. the Constitution, which Assertion and Motion were ex-  
ploded.

*Resolutions* The Parliament of *Scotland* having inserted in the  
*for Draw-* Articles of Union several Clauses for Drawbacks and  
*backs and* Allowances upon divers Commodities of the growth  
*Allowances* of that Kingdom, which might have put the *English*  
*upon Eng-* Traders upon an unequal Foot with the *Scotch*, the  
*lish Com-* Commons of *England* took that matter into their  
*modities.* Consideration, and, in a Committee of the whole  
House, came to the following Resolutions,

1. 'That all Foreign Salt imported into *England*,  
' *Wales*, or *Berwick* upon *Tweed*, after the First Day  
' of *May* 1707, shall be cellared and lock'd up under  
' the Custody of the Merchant Importer, and the  
' Officer employed for levying the Duties upon Salt,  
' and that the Merchant may have what Quantity  
' thereof his Occasions may require, not under a  
' Weigh or Forty Bushels at a time, giving Security  
' for the Duty of what Quantity he receives payable  
' in Six Months.

2. 'That for all *English* Salt which from and after  
' the First Day of *May* 1707, shall be shipped to be  
' carried Coastwise, the Duties having been paid,  
' or secured according to former Laws, there shall  
' be an Allowance made of the Duties of so much of  
' such Salt as shall be actually wasted in the Carriage  
' for Wastage, upon Certificates to be given *Gratis*  
' by the proper Officers at the Port of Lading of the  
' true Quantity of Salt laden or put on board, and  
' a Certificate of the proper Officers at the Port of  
' Discharge of the Quantity of the said Salt, which  
' shall be there discharged; and upon Proof made  
' upon Oath to verify the said Certificates, which  
' Proof and Certificates being produced to the pro-  
' per Officer of the Salt Duties, by whom the Duties  
' of the said Salt so carried Coastwise was paid or se-  
' cured, he shall be allowed upon the Security, or re-  
' paid (in Case the Duties be actually paid) so much  
' as the said Allowance for Wastage shall amount to,  
' as aforesaid.

3. 'That from and after the first Day of *May* 1707,  
' there shall upon the Exportation of White-Herrings  
' from *England*, *Wales*, and Town of *Berwick* upon  
' *Tweed*, be the like Allowances as are to be



upon the Exportation of White-Herrings from Scotland.

4. That there shall be allowed for every Barrel of Beef or Pork salted and exported from England, Wales, and Town of Berwick upon Tweed, after the First Day of May 1707, for Sale, the like Allowances as are to be allowed upon Exportation of such Beef and Pork Exported from Scotland.

5. That there shall be the like Premium given for all Oatmeal and Grain called Bear *alias* Big, upon the Exportation thereof, Exported after the First Day of May 1707, from England, Wales, and Town of Berwick upon Tweed, as are to be given upon Exportation of Oatmeal and Bear from Scotland.

Which Resolutions were reported to the House, read, and agreed to, on the 27th of February, and a Bill order'd to be brought in thereupon.

The next Day, the Commons read the third Time, and pass'd the Bill for an Union between the Two Kingdoms of England and Scotland, by a majority of 274 Voices against 116 who were for rejecting it. This Bill was, the first of April, carried by Mr. Compton to the House of Lords, who gave it a quick dispatch; but upon reading the same the third time, the Lord N—h and G—y offer'd the following Rider to be added to it, *viz.*

“Provided always that nothing in this Ratification contain'd shall be construed to extend to an Approbation or Acknowledgment of the Truth of the Presbyterian way of Worship, or allowing the Religion of the Church of Scotland, to be what it is stiled, *the true Protestant Religion.*”

But after a Debate, the Question being put whether the said Rider should be read a second time, it was carried in the Negative by a Majority of 55 Voices against 19.

Dissentient

Beaufort, Buckingham

North and Grey, Anglesey,

Winchelsea,

Northampton, Abington,

Nottingham, Scarishead,

Geo. Bath and Wells, Thomas,

Granville, Scawell, Guernsey,

Weymouth, Guilford, Leigh.

G G 4

Then

A. C.

1706.

*Several  
Lords pro-  
test against  
the Ratifi-  
cation of  
the Uni-  
on.*

Then the Question was put, *whether this Bill should pass*, which was resolved in the Affirmative. by a great Majority. The Peers who enter'd their Dissent were as follows.

Dissentient,

Nottingham; Anglesey, Thanes,  
Winchelsea; Northampton,  
Scarfsdale, Weymouth, Guernsey,

' Because the Constitution of this Kingdom has  
' been so very excellent, and therefore justly applaud-  
' ed by all our Neighbours for so many Ages, that  
' we cannot conceive it prudent now to change it,  
' and to venture at all those Alterations made by this  
' Bill, some of them especially being of such a Nature,  
' that as the Inconvenience and Danger of them (in  
' our humble Opinion) is already but too obvious,  
' some think it more proper and decent to avoid en-  
' tering further into the particular Apprehensions  
' we have from the passing of this Law.

Beaufort, Buckingham,  
Stawell, Guilford, Granville,  
Laigh.

' March 4. The Lords having sent \* back the Bill for an U-  
*Acts pass'd* nion to the Commons without any Amendment, the  
March 6. Queen came to their Lordships House, on the 6th of  
March, with the usual Solemnity, and gave the Roy-  
al Assent to the following publick Bills, viz.

*An Act for an UNION of the Two Kingdoms of Eng-  
land and Scotland.*

*An Act for rendering more effectual an Act passed in  
the first Year of Her Majesty's Reign, Entituled, An Act  
for the better preventing Escapes out of the Queen's Bench  
and Fleet-Prisons.*

*An Act for repairing the Highway between Hockliffe  
and Wooborne, in the County of Bedford.*

*An Act for continuing the Acts formerly made for Re-  
pairing of the Highways in the County of Hertford.*

*An Act for enlarging the Passage leading to New Pa-  
lace-Yard, through the Gate-House, Westminster.*

After

After which Her Majesty made the following Speech to both Houses, 1706.

My Lords and Gentlemen,

The Queens  
Speech to  
both Hou-

**I**T is with the greatest Satisfaction, that I have given My Assent to a Bill for Uniting England and Scotland into one Kingdom.

I Consider this Union, as a Matter of the greatest Importance to the Wealth, Strength and Safety of the whole Island, and at the same time as a Work of so much Difficulty, and Nicety in its own Nature, that till now all Attempts which have been made towards it, in the Course of above a Hundred Years, have proved ineffectual; and therefore I make no doubt but it will be Remembered and spoke of hereafter to the Honour of those, who have been instrumental in bringing it to such a Happy Conclusion.

I Desire and Expect from all My Subjects of Both Nations, that from henceforth they Act with all possible Respect and Kindness to one another, that so it may appear to all the World, they have Hearts disposed to become one People.

This will be a great Pleasure to Me, and will make us all quickly sensible of the good Effect of this Union.

And I cannot but look upon it as a peculiar Happiness, That in my Reign so full a Provision is made for the Peace and Quiet of My People, and for the Security of Our Religion; by so Firm an Establishment of the Protestant Succession throughout GREAT BRITAIN.

Gentlemen of the House of Commons,

I take this Occasion to remind you of making effectual Provision for the Payment of the Equivalent to Scotland within the Time appointed by this Act, and I am persuaded you will shew as much Readiness in this particular as you have done in all the Parts of this GREAT WORK.

My Lords and Gentlemen,

The Season of the Year being now pretty far Advanc'd, I hope you will continue the same Zeal which has appear'd throughout this Session in dispatching what yet remains unfinish'd of the Publick Business before you.

A. C. Five Days \* after, both Houses attended Her Majesty with the following Address :

Mar. 11.

*Address  
of both  
Houses to  
the Queen.*

**WE** Your Majesty's most Dutiful Subjects, the Lords Spiritual and Temporal and Commons in Parliament assembled, return our most humble Thanks to your Majesty for your Gracious Approbation of the Share we had, in bringing the Treaty of an Union between Your Two Kingdoms of England and Scotland to a Happy Conclusion; a Work that, (after so many fruitless Endeavours) seems design'd by Providence to add New Lustre to the Glories of your Majesty's Reign. The Success of Your Arms having secured Us from all Attempts from Abroad, and the Care Your Majesty has taken of the firm Establishment of the Protestant Succession, having given a great and lasting Security to Our Religion, as in the Church of England by Law Established, We beg leave humbly to assure your Majesty, That Our Endeavours shall never be wanting to support Your Government at Home, and so to Establish the Peace of this Island, that no Dispute may remain among Us, but how to acknowledge in the most Dutiful Manner the Auspicious Conduct of so Great and so Renown'd a QUEEN.

To this Address Her Majesty return'd the following Answer,

My Lords and Gentlemen,

*The Queen's Answer.* I Am glad to find Your Opinion so perfectly agrees with mine concerning this Union; You cannot do me a more acceptable Service, than by using Your utmost Endeavours to Improve all the good Consequences of it.

On the 19th of February Mr. Conyers reported to the Commons the following Resolutions taken by the Committee of the whole House about the Supply :

1. That the Duties on Houses, which by an Act of the First Year of Her Majesty's Reign, Entituled, *An Act for making good Deficiencies, and preserving the publick Credit*, are already granted to continue until the First Day of August 1710, shall be further

Further continued from the last Day of July 1710, to Her Majesty, Her Heirs and Successors, and from the said last Day of July 1710, shall be charged and chargeable with the yearly Fund after the Rate of Four Pounds Ten Shillings *per Cent. per Annum*, to be paid to the Governor and Company of the Bank of England, for Circulating Exchequer Bills, and that the said Fund and Duties be redeemable by Parliament upon a Year's Notice.

2. That the Duties on Houses, to arise by the said Act of the First Year of Her Majesty's Reign, after all the Principal and Interest thereby charged thereupon shall be satisfied, be applied for or towards the Payments, which at or before the Feast of St. Michael the Archangel 1710, shall be grown due upon the said Fund, after the Rate of Four Pounds Ten Shillings *per Cent. per Annum*, redeemable as aforesaid.

3. That for so much as shall be necessary quarterly, to wit, on every one of the four usual quarterly Feast-Days of the Year, from the first Issuing of the said Exchequer Bills, until and for the Quarter to end at Michaelmas 1710, to pay or make up so much as upon every such Quarter-Day shall be due after the Rate of Four Pounds Ten Shillings *per Cent. per Annum*, for Circulating the said Exchequer Bills, there be issued more Exchequer Bills (over and above the said One Million Five Hundred Thousand Pounds) to be chargeable on the House-Money, with the like Allowance for Circulation, and to be also redeemable by Parliament upon a Year's Notice, in like manner as aforesaid. Which being agreed to by the House, it was ordered; That a Bill be brought in upon the said Resolutions, and the Resolutions of the Fifteenth of the same Month, for a Fund for Exchequer Bills to be circulated. The same Day, the Commons in a Committee of the whole House, went again upon Ways and Means, and came to these Resolutions.

1. That towards raising the Supply granted to Her Majesty, a Sum not exceeding 1120000 Pounds be raised by Sales of Annuities, for the Term of Ninety Nine Years; to commence from Lady-Day 1707.

2. That

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2. 'That the several Impositions granted by an Act of Parliament of the Fourth Year of their late Majesties King *William* and Queen *Mary*, (of Glorious Memory) Entituled, *An Act for granting to their Majesties certain Additional Impositions upon several Goods and Merchandizes, for prosecuting the present War against France*: and which, by an Act of the First Year of Her Majesty's Reign, Entituled, *An Act for making good Deficiencies, and preserving the Publick Credit*, are already to continue until the First Day of *August* 1710, shall be further continued from the last Day of *July* 1710, for the Term of Ninety Six Years from thence next and immediately ensuing.

3. 'That the Rates and Duties granted by an Act of Parliament made in the Fifth Year of the Reign of their said late Majesties, Entituled *An Act for granting to their Majesties several Duties upon Vellome, Parchment and Paper for Four Years, towards carrying on the War against France*, and which by the said Act of the First Year of Her Majesty's Reign, are already granted to continue till the First Day of *August* 1710, shall be further continued from the last Day of *July* 1710, for the Term of Ninety Six Years from thence next and immediately ensuing.

4. 'That the said Additional Impositions on Goods and Merchandizes, and the said Rates and Duties upon Vellome, Parchment and Paper to be granted as aforesaid, when the same shall respectively commence, be appropriated and applied to make good the Fund for Payment of the said Annuities.

5. 'That a further Sum not exceeding Thirty Five Thousand Pound, be raised by Sale of Annuities, as aforesaid, to discharge the Two First Quarterly Payments to grow due on the Twenty Fourth Day of *June*, and the Twenty Ninth Day of *September* next respectively.

6. 'That the said Additional Impositions on Goods and Merchandizes, and the said Rates and Duties upon Vellome, Parchment and Paper to arise by vertue of the said Act of the First Year of her Majesty's Reign, (after all the Principal and Interest thereby charged thereon shall be paid and satisfy'd) be applied towards satisfying the Quarterly Payments, which at or before the Feast of *St,*

## 47i

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\* Feb. 20th  
Memorial  
of the  
Dutch En-  
voys laid be-  
fore the  
Commons.

*A Supply  
to answer  
the Equi-  
valent to*

March 12.

A. C. with, and will be Applicable to the Debts of Eng-  
land.  
1706.

2. That 2641 l. be granted to enable her Majesty to make a Recompence to the Mayor, Aldermen and Citizens of *Carlisle*, for such Tolls as they are to be depriv'd of by the 6th Article of the said Treaty of Union.

3. That 5000 l. be granted to enable her Majesty to make a Recompence to *Joseph Musgrave, Thomas Musgrave* and *George Musgrave*, Sons of Sir *Christopher Musgrave*, Bar. deceas'd, for such Tolls as they are to be depriv'd of by the 6th Article of the said Treaty of Union, which Resolutions were, the next \* day reported, and agreed to.

\* March  
13.

*Resolutions  
about Ways  
and Means.*

On the 15th of the same Month, Mr. *Coyers* reported from the Committee of the whole House, the following Resolutions about Ways and Means to raise the Supply, viz.

1. That towards raising the Supply, the Duties on Low Wines and Spirits of the first Extraction, and the Duties payable by Hawkers, Pedlars and Petty-Chapmen, which by an Act of the Third Year of her Majesty's Reign, have continuance until the 24th day of *June*, 1710. shall be further granted and continued to her Majesty, her Heirs and Successors, from the 23d Day of *June*, 1710. for the Term of 96 Years from thence next ensuing.

2. That there be paid for every Barrel of Sweets made for Sale, from, and after the 24th day of *March*, 1706. for the Term of 99 Years from thence next ensuing, the Sum of 1 l. 16 s. and so proportionably for any greater or lesser Quantity, to be paid by the Maker of such Sweets.

3. That the Overplus Money arising by the Rates and Duties of Excise, which were granted to their late Majesties King *William* and Queen *Mary* (of Glorious Memory,) by an Act of the Fourth Year of their said Majesties Reign, for the the Term of 99 Years therein mentioned, and are liable to the Payment of several Annuities with Benefit of Survivorship, and other Annuities, shall, from and after the 29th Day of *September*, 1710. be appropriated towards raising the Supply.

4. That



4. ' That the Subsidy of Tonnage and Poundage, and other Sums of Money payable upon Merchandizes Imported and Exported, which were first granted to King *Charles* the Second in the Twelfth Year of his Reign for his Life, and by several subsequent Acts of Parliament were continued until the first Day of *August*, 1706. and by an Act of the first Year of her Majesty's Reign, Entituled, *An Act for making good Deficiencies, and preserving the Publick Credit*, are granted to continue until the first Day of *August*, 1710, (except such of the said Duties as have been taken away or lessen'd by Acts of Parliament) shall be further continued to her Majesty, her Heirs and Successors, from the last Day of *July*, 1710, to the first Day of *August*, 1712, and no longer.

5. ' That the several Impositions and Duties upon Wines, Vinegar and Tobacco, which were granted first to King *James* the Second in the first Year of his Reign, and the Impositions upon *East-India* Goods, and other Goods charged therewith, which were first granted to their late Majesties King *William* and Queen *Mary* in the Second Year of their Reign, and by several subsequent Acts of Parliament were continued until the first Day of *August*, 1706. and by an Act of the first Year of her Majesty's Reign, Entituled, *An Act for making good Deficiencies, and preserving the Publick Credit*, are granted to continue until the first Day of *August*, 1710. (except such of the said Impositions and Duties, as have been taken away or lessen'd by Acts of Parliament) shall be further continued to her Majesty, her Heirs and Successors, from the last Day of *July*, 1710. to the first Day of *August*, 1712. and no longer.

6. ' That the Additional Rates, Duties and Impositions, which were at first granted to King *William* and Queen *Mary*, in the Fourth Year of their Reign, and by several subsequent Acts of Parliament, were continued until the first Day of *August*, 1706. and by an Act of the first Year of her Majesty's Reign, Entituled, *An Act for making good Deficiencies, and preserving the Publick Credit*, are granted to continue until the first Day of *August*, 1710, (except such of the said Rates, Duties and Impositions as have been taken away by Acts of Parliament)

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ment) shall be further continued to her Majesty, her Heirs and Successors, from the last Day of July, 1710, to the first Day of August, 1712. and no longer.

7. That the several Impositions and Duties upon Whale Finns imported, which were granted to his late Majesty King *William* by an Act of the ninth Year of his Reign, and by an Act of the first Year of her Majesty's Reign, were continued until the first Day of August, 1710, be further continu'd from the last Day of July, 1710, until the first Day of August, 1712, and no longer.

8. That from, and after the time that all the Principal and Interest, which by the said Act of the first Year of her Majesty's Reign, are charged upon the said Subsidies of Tonnage and Poundage, and the said Impositions upon Wines, Vinegar, Tobacco and *East-India* Goods, and upon the said Additional Impositions, and upon the said Duties upon Whale Finns, shall be paid off and satisfied, or that sufficient Money shall be reserved in the Exchequer for that purpose, the said Subsidies, Impositions and Duties, for the remainder of the Term, to end the first of August, 1712. shall be appropriated towards raising the Supply granted to her Majesty. These Resolutions being agreed to by the House, it was Ordered, "That it be an Instruction to the Committee of the whole House, to whom the Bill for continuing such Additional Duties on Goods and Merchandizes, and such of the Duties upon Stamp'd Vellome, Parchment and Paper, as are therein mention'd; and for Settling and Establishing a Fund thereby, and by the Application of certain Overplus Monies, and otherwise, for Payment of Annuities, to be sold for raising a further Supply to her Majesty, for the Service of the Year 1707, and other Uses therein express'd, is Committed, That they leave out of the said Bill the additional Duties on Goods and Merchandizes, and in lieu thereof to insert the said Duties on Low-Wines and Spirits, and the Duties payable by Hawkers, Pedlars and Petty-Chapmen, and the said Duties on Sweets, and the said Overplus Monys arising by the Rates and Duties of Excise, as Part of the Fund for Payment of the said

"said Annuities and other the Uses in the said Bill, A. C.  
 "pursuant to the Three first of the said Resolutions. 1706  
 And Ordered, That a Bill be brought in upon the  
 Five last of the said Resolutions.

Three † Days after, the House proceeded to take † March  
 into Consideration the Report from the Committee 18.  
 to whom the Petition of several Proprietors of Plan-  
 tations of the Islands of Nevis and St. Christophers in *Resolution*  
*in favour*  
*of the Lee-*  
*ward*  
*Islands.*  
 America, and Merchants trading to the same, on  
 the behalf of themselves, and other the Inhabitants  
 and Traders to the said Islands, and the same being  
 read it was Resolved, 'That an humble Address be  
 presented to Her Majesty, That She will be pleas'd  
 to appoint such Persons as Her Majesty shall think  
 fit, to inquire into the true State of the Losses of  
 the People of the Islands of Nevis and St. Christophers,  
 in order to lay the same before this House the next  
 Sessions of Parliament; and in the mean Time,  
 That She will be graciously pleas'd out of the Pub-  
 lick Money granted this Session of Parliament, to  
 apply what may be convenient for the better secu-  
 ring those Islands, and supplying them with Necessi-  
 ties, in order to a Resettlement. The said Ad-  
 dress being presented accordingly, Her Majesty was  
 pleas'd to answer, That she was very well pleas'd to find  
 the House of Commons had so compassionate a Sense of the The Queen's  
 Losses of Her Subjects in Nevis and St. Christophers, Answer to  
 as also with the Concern they shew'd upon this Occasion the Ad-  
 dress about  
 for the Plantations which are so justly Entitled to their  
 Care, by the large Returns they make to the Publick; the Lec-  
 ward  
 and Her Majesty would give the necessary Orders for what  
 Islands.  
 the House had desired in this Matter.

An Address, in relation to the Buying in England And to the  
 all Cloaths, Arms and Accoutrements of War for address a-  
 the Army, in Her Majesty's Pay or Service, having bout buying  
 also been presented to Her Majesty, She was pleas'd  
 to give this Answer: and Arms

That she would endeavour to give Encouragement to the in Eng-  
 Manufactures of England, upon all Occasions, where it might land.  
 consist with the publick Service.

On the 19th of March the House of Commons a Further  
 greed to the two following Resolutions, which were Resolutions  
 reported by Mr. Chancellor of the Exchequer, from about Way  
 the Committee of the whole House, viz. and Means.

1. That towards raising the Supply the Duties (commonly  
 called the Third part of a Subsidy of Tonnage and Pound-

## The ANNALS of.

age) which by an Act of Parliament of the Fourth Year of Her Majesty's Reign, Entitled, An Act for continuing an Additional Subsidy of Tonnage and Poundage, and certain Duties upon Coals, Culm and Cinders, and Additional Duties of Excise, and for settling and establishing a Fund thereby, and by other Ways and Means. for Payment of Annuities to be sold for raising a further Supply to Her Majesty for the Service of the Year 1706, and other Uses therein mention'd, were granted, and continued to be paid for, and upon all Wines, which from and after the 8th Day of March, 1706 during the Term of Ninety Eight Years from thence next ensuing, should be imported or brought into the Kingdom of England, Dominion of Wales and Town of Berwick upon Tweed; and for and upon all manner of Goods and Merchandizes, which from and after the said Eighth Day of March, 1706, during the said Term of Ninety Eight Years, should be imported or brought into this Realm, or any Her Majesty's Dominions to the same belonging, by way of Merchandize, (except as therein is excepted) be further granted and continued to Her Majesty, Her Heirs and Successors from the Expiration of the said Term of Ninety Eight Years, for the Term of One Year from thence next and immediately ensuing.

2. That the Overplus Monies to arise yearly by the Funds settled by the Act of the Fourth Year of Her Majesty's Reign Entitled, An Act for continuing an Additional Subsidy of Tonnage and Poundage, and certain Duties upon Coals, Culm and Cinders, and Additional Duties of Excise, and for settling and Establishing a Fund thereby, and by other Ways and Means, for Payment of Annuities to be sold for raising a further Supply to Her Majesty for the Service of the Year 1706, and other Uses therein mentioned, which Overplus Monies do belong to Her Majesty for the Publick Use, shall be appropriated as a further security for payment of the Annuities to be purchased to raise Money towards the Supply granted to Her Majesty in this Session of Parliament. Then they Orderd, That it be an Instruction to the Committee of the whole House, to whom the Bill for Continuing such Additional Duties on Goods and Merchandizes, and such of the Duties upon Stamp'd Vellome, Parchment and Paper, as are therein mentioned; and for Settling and Establishing a Fund thereby, and by the Application of certain Overplus Monies, and otherwise, for Payment of Annuities to be sold for raising a further Supply to Her Majesty.

## Queen ANNE's Reign.

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1706.

Majesty for the Service of the Year 1707, and other Uses therein express'd, was Committed, That they do insert the said Duties and Overplusses as further Securities for the Annuities to be purchased. As also, That it be an Instruction to the said Committee, That they have Power to receive a Clause to give further Time for Payment of the stamp'd Duties which have been omitted to be paid, and thereupon to be discharged from the Penalties.

On the 24th of the same Month, the Queen went to the House of Peers, and gave Her Royal Assent to the following publick Bills, viz.

An Act for continuing the Duties upon Houses, to secure a yearly Fund for Circulating Exchequer Bills, whereby a Sum not exceeding Fifteen Hundred Thousand Pounds is intended to be raised for carrying on the War, and other Her Majesty's Occasions. Act pass'd March 24.

An Act for the better Recruiting Her Majesty's Land Forces and the Marines, for the Year 1707.

An Act for continuing an Act made in the Third and Fourth Years of Her Majesty's Reign, Entituled, An Act for punishing Mutiny and Desertion, and False Musters, and for the better Payment of the Army and Quarters.

An Act for the better Preservation of the Game.

An Act to repeal all the Laws prohibiting the Importation of Foreign Lace made of Thread.

An Act for Enrolments of Bargains and Sales within the West-Riding of the County of York in the Register Office there lately provided, and for making the said Register more effectual.

And to 12 private Bills.

Three \* Days after, the Queen return'd to the \* March House of Lords, and pass'd the following Bills, 27.

1. An Act for continuing the Duties on Low-Wines and Spirits of the first Extraction, and the Duties payable by Hawkers, Pedlars, and petty-Chapmen, and part of the Duties on Stamp'd Vellome, Parchment and Paper, and the late Duties on Sweets; and the One third Subsidy of Tonnage and Poundage, and for settling and Establishing a Fund thereby, and by the Application of certain Overplus Monies, and otherwise, for Payment of Annuities to be sold for raising a further Supply to her Majesty for the Service of the Year 1707, and other Uses therein express'd. Other Acts pass'd.

2. An Act for the better Encouragement of the Royal Lustring Company.

3. An Act for Repairing the Highway between Forn-Hill in the County of Bedford, and the Town of Stoney-Stratford in the County of Buckingham.

H h 2

By

A. C.

1703.



Great  
Quantities  
of Wine,  
Brandy,  
and other  
Commodi-  
ties impor-  
ted into  
Scotland

A Bill  
brought in  
to prevent  
it.

† April.  
Resolve  
against  
Fraudulent  
Traders.

By the 4th Article of the Treaty of Union it is agreed, That all the Subjects of the United Kingdom of Great Britain, shall, after the Union have full Freedom and Intercourse of Trade and Navigation; And by the 6th. That all Parts of the United Kingdom after the Union shall have the same Allowances, Encouragements and Drawbacks, and be under the same Prohibitions, Restrictions and Regulations of Trade. Hereby it was generally understood, That all Commodities and Goods that should happen to be in Scotland before the first of May 1707, on which day the Union was to commence, might be imported into England without Paying any further Duties: Upon which Presumption several English and Foreign Merchants imported great Quantities of Wine and Brandy into Scotland. Some other Traders of more stretch'd Conscience, allured by the almost irresistible Prospect of Gain, were guilty of a more unwarrantable Practice, which was the exporting Tobacco, Pepper, Cocoa-nuts and other Goods, in order to obtain the Draw-backs allowed by Acts of Parliament, and afterwards import the same Commodities into Scotland, from whence, after the first Day of May, they might be imported into England Custom-free. These fraudulent Practices having been laid before the House of Commons both by the Court, and the honest Dealers, who were like to be equal Sufferers thereby, a Bill was brought in to prevent and obviate Frauds relating to the Customs, by Exporting Tobacco, Plantation and East-India Goods in order to obtain a Draw-back, and afterwards to re-land them in England without Payment of Duty, and for better securing the Duties on Goods brought from the West-Indies: Which on the 5th of April was order'd to be engross'd. The next † Sitting, the House took into Consideration the Report from the Committee, to whom it was referred to enquire into Frauds committed in Drawbacks of Goods and Merchandizes exported; and the same being read, and it appearing to the House, That several Frauds and Abuses had been committed, in relation to Drawbacks of Customs: It was resolved, That an humble Address be presented to Her Majesty, That She would please to give Directions to Her Attorney-General to prosecute such Persons according to Law, as had been concern'd in the said Frauds and Abuses. The same Day, the foremention'd Bill was read the third Time and

and with an Amendment pass'd, and sent up to the Lords, for their Concurrence; But this last Additional Clause being so unluckily contrived, as to be like to give Disgust to the Scots, (which would have been an Ominous Beginning of the Union) the Earl of Rochester, very wisely proposed this Expedient, that the Queen should be desired to prorogue the Parliament, and so putting an end to this Session, and to all the Affairs depending therein, another Bill, to the same Effect, but without such a stumbling Clause, might be set on Foot and pass'd in another Session. Accordingly, on the 8th of April, the Queen came to the House of Peers, with the usual Solemnity, and gave Her Royal Assent to the following publick Bills, viz.

*An Act for Ease of Her Majesty's Subjects in relation to the Duties upon Salt, and for making the like Allowances upon the Exportation of White Herrings, Flesh, Oatmeal, and Grain called Bear alias Bigg, as are to be made upon Exportation of the like from Scotland.* *Act pass'd April 8.*

*An Act for Encouraging the Discovery and Apprehending of House Breakers.*

*An Act for raising the Militia for the Year 1707 notwithstanding the Month's Pay formerly advanced be not repaid, and for an Account to be made of Trophy-Money.*

*An Act to explain and amend an Act of the last Session of Parliament for preventing Frauds frequently committed by Bankrupts.*

*An Act for Discharging small Livings from their First Fruits and Tenths, and all Arrears thereof.*

*An Act for making the Acts more effectual for appropriating the Forfeited Improvements in Ireland, and for the Building of Churches and augmenting Poor Vicaridges there.*

*An Act to subject the Estate of Thomas Brerewood to the Creditors of Thomas Pitkin, notwithstanding any Composition or Agreement made with the Creditors of the said Thomas Pitkin.*

*An Act for repairing the Highways between Sheppard-Shord, and the Devizes, and between the Top of Ashlington Hill and Rowdford in the County of Wilts.*

*An Act for the better securing Her Majesty's Purchase of Cotton-House in Westminster.*

*An Act for obliging John Rice to account for Debentures granted to him in the last Session of Parliament.*

*An Act for the Continuance of the Laws for Punishment of Vagrants, and for making such Laws more effectual.*

A. G.  
1706.

The Parli-  
ament pro-  
rogued.

And meets  
again A-  
pril 14.

An *Act* for continuing the *Laws* therein mention'd re-  
lating to the Poor, and to the Buying and Selling of Cattle  
in Smithfield, and for suppressing of Piracy; And to 23  
private Bills. Then the Lord Keeper of the Great  
Seal, by Her Majesty's Command, prorogu'd the  
Parliament until Monday the Fourteenth Day of the  
same Month, when Her Majesty being come to the  
House of Peers, and the Commons sent for up, Her  
Majesty made the following Speech to Both Houses.

The Queens  
Speech to  
both  
Houses.

My Lords and Gentlemen,

**I** Was willing to give you an Opportunity of coming to-  
gether again to consider if any Thing can properly be  
done to prevent the Inconveniences that may happen to our  
Trade, by too great an Interval between the Rising of the  
Parliament and the First of May; and I need not add,  
That whatever is to be done of that Kind, will require to be  
dispatch'd in a little time.

Petition of  
the Mer-  
chants a-  
gainst the  
importing  
of Goods  
into Scot-  
land.

The Commons being return'd to their House, re-  
ceiv'd, and read a Petition of the subscrib'd Mer-  
chants, on behalf of themselves and many others con-  
cerned in the Importation of Wines and Brandy from  
Spain, Portugal and Italy, and of other Goods from  
Holland, &c. complaining 'That (as the Petitioners  
'were credibly inform'd) great Quantities of French  
'Wines, Brandies, Silks, Pruons, Rosin, &c. of the  
'Growth and Product of France, Whalebone, Linnen,  
'Drugs, Coffee, Spices &c. from Holland and from  
'France, directly were brought, and more intended to  
'be Imported into the Kingdom of Scotland, in order  
'to be brought thence and Imported into this King-  
'dom of England, after the first Day of May, to avoid  
'the English Duties, to the great Detriment and Loss  
'of some, and the utter Ruin of other the Petitioners,  
'who had Imported, and were Importing into Eng-  
'land the like Commodities from Spain, Portugal, Italy  
'and Holland, paying the high Duties upon them,  
'which Commodities had been chiefly purchased a-  
'broad with the Woollen-Manufactures, Corn, and  
'other Products of England; and praying that the  
'House would prevent the Importation of the said  
'Goods and Merchandizes, the Importation whereof,  
'without being made subject to the English Duties,  
'would be a great Damage not only to the Petitioners  
'but to Her Majesty's Revenues of Her Customs, or  
'other-



otherwise to provide for the Petitioners Relief in the Premises as the House should think fit.

A. C.  
1706.

The next \* Day, the Commons in a Committee of the Whole House came to these Resolutions, viz. \* April 15.

1. That it is the Opinion of this Committee, That the Importation of Goods and Merchandizes of the Growth and Produce of *France*, and other Foreign Parts into *Scotland*, in order to be brought from thence into *England* after the First of *May*, and with Intention to avoid the Payment of the *English* Duties, will be to the Damage and Ruin of the Fair Traders, to the Prejudice of the Manufactures of *England*, a great Loss to Her Majesty's Revenues of the Customs, and a very great Detriment to the Publick.

2. That it is the Opinion of this Committee, That the Exporting of Goods and Merchandizes from *England* into *Scotland*, that are intitled to a Drawback, with Intention to bring the same back again into *England* after the first of *May*, is a most Notorious Fraud, to the Damage and Ruin of the Fair Traders, to the great Loss of Her Majesty's Revenues of the Customs, and a very great Detriment to the Publick.

These Resolutions being immediately, reported and agreed to, a Bill was order'd to be brought in upon the same; which was accordingly done, and after the second Reading, the said Bill † order'd to be engross'd. The next day, *April* 19th, the Bill was passed, and sent up to the Lords for their Concurrence; but it being apprehended, that this Law would give offence to the *Scots*, and the most eminent Lawyers, who were consulted about it, not agreeing in their Opinions, the Court thought fit to let it fall: considering, that the 1st day of *May* was near at hand; and that the Practises of the fraudulent Traders, had, in great Measure, been prevented, by the Terror of this intended Law; and of the Vote of the 7th of that Month, before mention'd. Hereupon the Queen came to the House of Peers, the 24th of *April*, and the Commons attending, Her Majesty made the following Speech to Both Houses.

*April*  
18th.  
The Bill to prevent the Frauds in Importing Goods into Scotland dropt.

My Lords and Gentlemen,

I Return you my hearty Thanks for the great Zeal and Affection which you have shewn for my Service, and the Publick Good, in the several Affairs which have been

The Queen's Speech to both Houses

*April* 24  
be.

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before you, especially in that of the Union with Scotland, which I doubt not will prove a Lasting Blessing to this Island.

Gentlemen of the House of Commons,

I am to thank you in particular for the great Dispatch you have made in providing the largest and most effectual Supplies, that have ever been given to the Crown for the current Service in any one Session of Parliament. I am very much concern'd that the Publick Occasions require the raising of such great Sums from my People, I will take Care they shall be apply'd to the Uses for which they are given; and I hope, by God's Blessing, we may obtain Advantages from them answerable to so great an Expence.

My Lords and Gentlemen,

It is proper for me, before we part, to communicate to you, that I think it expedient that the Lords of Parliament of England, and Commons of the present Parliament of England, should be the Members of the respective Houses of the First Parliament of Great-Britain, for and on the Part of England; and therefore I intend, within the Time limited, to publish a Proclamation for that Purpose, pursuant to the Powers given me by the Acts of Parliament of both Kingdoms, ratifying the Treaty of Union: And after we have so fully compleated this Great Work, I assure my self, that when you return to your several Countries, you will omit no Opportunity of making my Subjects sensible of the Security, and the other great and lasting Benefits, they may reasonably expect from this happy Union.

This will Conduce very much to make it prove so, and be a good Preparation to the Success of Our next Meeting; when, I hope, We shall All join Our sincere and Heartly Endeavours to Promote the Welfare and Prosperity of Great Britain.

The Parliament Prorogued.

After which the Lord-Keeper of the Great-Seal, by Her Majesty's Command, Prorogu'd the Parliament until Wednesday the Thirtieth Day of April.

A Representation having been made to the House of Commons of great Numbers of Pirates, that had settled in the Island of Madagascar, from whence they very much annoy'd the East-India Trade; and the Marquis of Carmarthen offering, with a small Squadron, to go and suppress them, the House appointed a Committee to take that Matter into Consideration. Hereupon the Committee came to these Two Resolutions:

1. 'That

1. 'That a great Number of Pirates have settled themselves in the Island of *Madagascar*, from whence they have committed many great Piracies, Robberies and Depredations, very ruinous to Trade, and whereby the Lives of many of Her Majesty's good Subjects have been destroy'd.

2. 'That an humble Address be presented to Her Majesty, That She would be graciously pleas'd to take into Her Royal Consideration how the said Pirates may be suppressed, and their further Piracies, Robberies and Depredations may be effectually prevented: Which Resolutions were on the 8th of April agreed to by the House. The same day it was Resolv'd, 'That an humble Address be presented to Her Majesty, that She will be graciously pleas'd to use Her Royal Endeavours to Recover and Preserve the Ancient Possessions, Trade and Fishery in *Newfoundland*.

The Day \* before, Mr. Secretary *Harley* report- April 7.  
ed to the House, 'That their humble Address having been presented to Her Majesty, That She would be graciously pleas'd to give Satisfaction to the Owners and Freighters of, and others concerned in the Ship *Worcester*, Captain *Thomas Green* late Com-<sup>The Queen's</sup>  
mander, seiz'd and Condemn'd in *Scotland*, for the Answer to  
'Damages by them sustained, out of Her Majesty's the Address  
'Share of the Prizes not appropriated, or in such about the  
'other Manner as to her Majesty should seem meet; Sufferers  
'Her Majesty was pleas'd to give this Gracious An- in the  
swer, viz. Ship Wor-  
cester.

Her Majesty will give Directions, That the Monies arising from Prizes shall be apply'd to that Use, as is desired by the Address.

Having brought the last Session, of the last Parliament of *England* to a Period, I shall take this Occasion to acquaint my Readers, that whereas in the Account \* of the last year's Proceedings of the Lower-House of Convocation, it is related, That as the 14th. Vol. Bishop of *Norwich* was about Reading the Queen's Let- of these An-  
ter, Dr. *Atterbury*, taking the Prolocutor by the Sleeve nals, pag.  
desired to be gone, adding, they had no Business there, 267.

&c: A Member of the said Lower-House has, indirectly, expostulated about that Account, pretending, 'That the Queen's Letter was attended to with all Respect imaginable; but when the Schedule of Pro- rogation was call'd for, and about to be read (which

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*A pretended Mistake in the last Year's Annals accounted for.*

(which the Lower House always expect should be sent down to them) then, and not before, the whole Lower House moved towards the Door; and the Prolocutor along with them: till the Bishop of Sarum call'd out to them to stay; If I am guilty of a Mistake, 'twas without any Malicious Intention, and purely thro' Misinformation: But that some Members of the Lower House committed some Irregularity either on that Occasion, or afterwards, plainly appears by the following Letter from the Queen, to the Archbishop of Canterbury:

Supercribed, To the Most Reverend Father in God, Our Right Trusty and Right Entirely beloved Counsellor, Thomas, Lord Archbishop of Canterbury, Primate of all England, and Metropolitan and President of the Convocation of the Province of Canterbury.

ANNE R.

*The Queen's Letter to the Archbishop of Canterbury.*

MOST Reverend Father in God, Our Right Trusty and Right Entirely beloved Counsellor, We greet you well. In Our Letter to you, bearing Date the 25th Day of February, 1705, which We directed to be communicated to the Bishops and Clergy of the Convocation of your Province, We declar'd Our Resolution to maintain Our Supremacy and the due Subordination of Presbyters to Bishops, as fundamental parts of the Constitution of the Church of England. We did hope that so plain a Declaration of Our Royal Intention would have been a sufficient Warning to those of the Clergy, whose Innovations (contrary to the Duty they ow'd to Us and their Ecclesiastical Superiors) gave us occasion to make it. Yet contrary to Our Expectation We understand, that not only the former illegal Practices are continued, but also, by the Proceedings laid before Us by You and their Suffragans, that the last Prorogation of the Convocation held before you, which You made by Our Command, signified in Our Writ under Our Great Seal, has been by divers of the Clergy of the said Convocation, in their Application to You, reflected on as Unprecedented and contrary to the ancient and constant Usage of the Convocation, which your self and the Bishops of your Province were bound in Conscience to have seen maintained and preserv'd to them. We are satisfy'd that Assertion is untrue in Point of Fact, and amounts to a plain Impsion of Our Royal

Royal Supremacy, which is reposed in Us by the Law and the Constitution of the Church of England; and that their Subsequent Declaration being evasive, and contrary to what They had before done, hath rather aggravated than lessened the Guilt of so dangerous an Attempt. As Our repeated Admonitions do sufficiently shew Our Tenderness for the Clergy; so Our firm Resolution to preserve the Constitution of the Church of England, as by Law Establish'd, and Our Rightful Supremacy, if any thing of the like nature be attempted for the future, will make it necessary for Us (how unwilling soever we are to proceed to those Measures) to use such means for the punishing Offences of this nature, as are warranted by Law. All which we require you to communicate to the Bishops and Clergy of your Province in Convocation assembled; and so We bid you heartily farewell. Given at Our Court at St. James's the Eighth Day of April 1707. In the Sixth Year of Our Reign. By Her Majesty's Command.

SUNDERLAND.

This Letter was communicated to Both Houses of Convocation; but the Lower-House having continu'd Sitting, notwithstanding the Prorogation by the Archbishop of Canterbury, an Action of Contumacy was commenced and continued in the Upper House, against Dr. Bincks, Prolocutor to the Lower House, whereupon the latter \* made the following Protestation.

NOS Prælati & Clerus Inferioris Domus Convocationis, Protestation of the  
Suprematus Regii jura, pro officii nostri ratione, tion of the  
quantum in nobis est, tueri cupientes, Protestamur in Lower  
his Scriptis contra omnimodum processum post decimum House of  
diem instantis Aprilis habitum vel habendum in causa Convoca-  
tionis inchoata, & ad hunc usque Diem, viz. tricesimum April 30.  
diem Aprilis continuata; nec non contra omnimodam Sen-  
tentiam post dictum decimum diem Aprilis in eadem  
causa sive latam, sive ferendam: Quam quidem Sententiam,  
una cum processu antedicto, propter Prorogationem  
Convocationis virtute brevis Regii dicto decimo die  
Aprilis factam, Suprematus Regii jurebus adversam esse  
arbitramur, illegitimam, atque omnino nullam.

That is,

WE the Dignitaries and Clergy of the Lower House of Convocation, desiring, as we are in Duty bound, to maintain as much as in us lies, the

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' the Rights of the Regal Supremacy, do hereby  
' Protest against all manner of Proceedings had or to  
' be had after the 10th Day of this Instant *April*, in  
' a certain Cause of Contumacy, commenc'd on the  
' said Day in the Upper House of Convocation, and  
' thence to this Day, *viz.* the 30th Day of *April*, con-  
' tinued: As also against any Sentence whatever in  
' the said Cause decreed, or to be decreed, after the  
' said 10th Day of *April*: Which Proceedings and  
' Sentence we do, by reason of the Prorogation of the  
' Convocation made by the Authority of the *Royal Writ on*  
' *the said Tenth of April*, conceive to be derogatory to  
' the Rights of the Queen's Supremacy, Unlawful,  
' and altogether Null.

Dr. Bincks  
submits.

This Protestation was (the same Day it was made)  
deliver'd to the Archbishop, by Dr. *Bincks*; who,  
however, making a formal Submission to his Grace,  
not many Days after, the Prosecution against him  
was superseded.

Licentious  
Writers  
check'd.

Mr. Pettis  
Sentenc'd  
April 25.

Several Persons, either prompted by their own ill  
Humour, or which is more probable, either acted,  
or at least countenanc'd by some Great Men out of  
Place, having of late, in their Writings, stretch'd  
too far the Liberty of *English* Men, and presum'd  
too much on the Mildness of Her Majesty's Govern-  
ment, the Ministry thought fit to give a seasonable  
Check to their Licentious Pens. The first Man  
that was prosecuted this Year, was Mr. *William*

*Pettis*, who being convicted of Writing, Printing  
and Publishing, a Scandalous and Seditious Libel,  
Reflecting upon Her Majesty and the Government,  
Entituled, *The Case of the Church of England's Memo-*  
*rial fairly Stated: Or, a Modest Enquiry into the Grounds*  
*of those Prejudices that have been entertained against it,*  
was upon the 25th of *April*, Fined for the same by  
the Court of *Queens-Bench*, One hundred Marks, and

And Pillor-  
ied, April  
26 and 29.

to stand in the Pillory, the next day at *Charing-Cross*,  
for the space of one Hour, between 11 and One in  
the Afternoon, with a Paper on his Head denoting  
his Offence, and also to stand in the Pillory the 29th  
of the same Month, near the *Royal Exchange* in *Corn-*  
*hill* in like manner. This Sentence was executed  
accordingly; and before he was discharged out of  
Prison, he was to give Security for his good Beha-  
viour for Two Years. *George Sawbridge*, convicted  
of

Mr. Saw-  
bridge  
Fined.

of publishing the said Libel, was the same day, by the said Court, Fined 200 *l.* and committed to the Queen's Bench Prison in Execution till he pay the same, and also to be brought by the Marshal of the said Prison to all the Courts at Westminster, upon the 26th of April, the said Courts sitting, with a Paper upon his Head denoting his Offence, which was done accordingly; and before he was discharged out of Prison, he was likewise to give Security for his good Behaviour for the Space of Two Years.

On the 30th of April, in the Morning, the Case *D. Drake's* of Dr. James Drake, indicted for Writing a Pamphlet call'd *Mercurius Politicus*, was argued at the Queen's Bench Bar. It appear'd that in the Libel, set forth *journal*, in the Information, the Word *Nor* was inserted, and April 30. in the Libel given in Evidence, the Word *Nor*: upon Arguing of which Error the Court inclined for the Party accused; whereupon the Trial was adjourn'd. In the Afternoon of the same day Dr. Joseph Brown *D. Brown* was tried at Guildhall, before the Ld Chief Justice Holt, *for and Guilt* for handing to the Press a Paper of Verses, call'd, *ry, Ditto.* *The Country Parson's Advice to the Lord Keeper*, wherein in a gross ironical Way, the Archbishop of Canterbury, the Dukes of Southampton, Richmond, Somerset, Bolton, and Devonshire; the Earls of Montague, Pembroke, Essex, and Orford; the Lords Sommers, Mohun, Haveresham, Wharton and Halifax; and the Bishop of Sarum, were scurrilously reflected upon. The Charge being plainly proved by the Printer, and by Mr. Lewis, Secretary to Mr. Secretary Hagley, the Jury brought the Prisoner in Guilty. Some time after, Dr. Brown receiv'd Sentence to stand in the Pillory, which was executed upon him.

*He stands  
in the Pila-  
lory.*

On the sixth of May, being the last day of the Term, Judge Powel, in the Court of Queen's-Bench, pronounc'd Sentence against Mr. William Stephens, Rector of Sutton in Surry, for Writing a Seditious Pamphlet, call'd, *A Letter to the Author of the Memorial of the State of England*, (mention'd in the last Year's Annals, pag. 272.) which contain'd most Scandalous Reflections on the Duke of Marlborough's Conduct last Campaign, and against Mr. Secretary Harley. The Judge told the Prisoner, 'That his Offence was the greater, in that it was the Duty of his Calling to teach others the positive Precept of the Gospel, about the Reverence we ow to Sovereigns, and

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Mr. Stephens receives Sentence to stand in the Pillory.

and those that are in Authority under them; but that his Crime was still the more heinous, in Abusing the Duke of *Marlborough*, a Peer who had done such Glorious Actions for his Country, and so well deserv'd of the Common Cause: Adding, with Respect to the Secretary, That the Traducing the Queen's Ministers, was a downright Abuse upon her Majesty herself. Mr. Stephens would have spoken something by way of Submission, but the Judge pronounc'd the Judgment of the Court against him, which was, 'That he should be fin'd 100 Marks, stand twice in the Pillory, with a Paper fix'd to his Hat, denoting his Offence; the first time the *Thursday* following, between the Hours of 12 and 2 at *Charing-Cross*, and the next day, at the same Hours, before the *Royal Exchange*; And that he should give Sureties for his good Behaviour for a Twelve-Month. However, it being represented and consider'd, that the inflicting such a degrading and ignominious Punishment, on a Person in Holy Orders, might give Offence to the whole Character, the Execution of this Sentence was first suspended, and, at last, the Pillory remitted; though with this mortifying Circumstance, that Mr. Stephens was brought to a publick House at *Charing-Cross*, from whence he saw the fatal Scaffold; and Multitudes of People gathering to be Spectators of his Disgrace.

The Pillory remitted.

Dr. Drake acquitted.

On the 6th of November, the Court of *Queen's-Bench* gave Judgment for Dr. Drake, in the Case relating to his Writing *Mercurius Politicus*.

Sentence against Dr. Browne and Mr. Ward.

Dr. *Joseph Browne* being convicted of Writing and Publishing a Scandalous and Seditious Libel, Entitled, 'A Letter to the Right Honourable Mr. Secretary *Harley*, by Dr. Browne, occasion'd by his late Commitment to *Newgate*: Together with his Interpretation of that Paper called, *The Country Parson's Advice to my Lord Keeper*, laid to his Charge;) Reflecting upon the great Officers of State, and several of the Nobility of this Kingdom; was on *Thursday* the 14th of November, fined for the same, by the Court of *Queen's-Bench*, 40 Marks, and ordered to stand in the Pillory two days after at *Charing-cross* for the space of one Hour, between 12 and 2 in the Afternoon, with a Paper on his Head denoting his Offence, which he did accordingly: And he was also to stand in the Pillory on *Monday* the

They stand in the Pillory.



18th of that Month near the *Royal Exchange* in *Cornhill* in like manner; and, before he be discharged out of Prison, to give Security for his Good Behaviour for one Year. A. C.  
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*Edward Ward* being convicted of Writing, Printing and Publishing several Scandalous and Seditious Libels, Entituled, *Hudibras Redivivus*; or, *A Burlesque Poem on the Times*:) highly reflecting upon her Majesty and the Government; was likewise on *Thursday* the 14th of *November* fined for the same by the Court of *Queen's-Bench*, 40 Marks, and ordered to stand in the Pillory on *Wednesday* next at *Charing-cross*, for the space of one hour, between 12 and 2 in the Afternoon, with a Paper on his Head denoting his Offence; and also to stand in the Pillory on *Thursday* next near the *Royal Exchange* in *Cornhill* in like manner: And, before he be charg'd out of Prison, to give Security for his Good Behaviour for one Year. This Account is extracted out of the *London Gazette*, dated Nov. 18.

On the 14th of *February* 1707. Mr. *Charles Gildon* was Try'd at *Guild-Hall*, and found Guilty for Publishing a Pamphlet, Entituled, *A Letter from Sir Rowland Gwynne, to the Right Honourable the Earl of Stamford*, for which he was, three † Months after, fin'd 100 l. by the Court of *Queen's-Bench*, it being suggested, 'That the said Letter was a Scandalous, False and Malicious Libel, tending to create a Misunderstanding between her Majesty any the Princess *Sophia*, and highly Reflecting upon her Majesty and the Princess *Sophia*, and upon the Proceedings of both Houses of Parliament. Mr. Gildon fined.  
† May 18, 1707.

REMARKABLE OCCURRENCES that could not conveniently be brought into the Historical Series of these Analys.

ON the 16th of *March* 1706. the Duke of *Buckingham* and *Normanby* was married to the Countess of *Anglesey*, Natural Daughter to the late King *James*, by the Countess of *Dorchester*.

Mr. *Smith*, Son to the Speaker of the House of Commons, was Sworn Clerk of the Council Extraordinary.

Colonel *Southwell* kiss'd the Queen's Hand, to return her Majesty's Thanks for the Regiment of Colonel *Rivers* deceased.

This Month also, *Charles Boyle*, Earl of *Orrery*, Knight of the most Noble Order of the Thistle. was  
mar-

A. C. married to the Lady Elizabeth Cecil, only Sister to the Earl of Exeter.

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April.

Five new *English* Regiments were raised in this Month, commanded by the Lord *Lovelace*, the Lord *Tunbridge*, Colonel *Stanwix*, Colonel *Townsend*, and Sir *Roger Bradshaigh*.

The Earl of *Lorain* married Mrs *Duncomb*, one of the Maids of Honour to the Queen.

May.

On the 5th of *May* the Court went into Mourning for the Death of the Electress Dowager *Palatine*, Sister to his Royal Highness Prince *George of Denmark*.

On the 6th of *May*, the Queen appointed his Grace the Duke of *Queensberry*, to be her High Commissioner for the Kingdom of *Scotland*.

On the 21st of the same Month the Earl of *Anglesey*, was married to the Countess of *Derby's* Daughter, Niece to the Duke of *Ormond*.

June.

About the middle of *June*, Mrs. *Smith*, Daughter to the Speaker of the House of Commons, was made Maid of Honour to the Queen, in the room of Mrs. *Frowde*, lately deceased.

About the middle of *June*, the Lord *Howard of Effingham* was made one of the Gentlemen of the Bed-chamber to his Royal Highness the Prince of *Denmark*, in the room of the Lord *Stawel*.

August.

In the Month of *August*, *Charles Nicholas Eyre* and *Richard Steel Esqs.*, were made Gentlemen Waiters to the Prince, in the room of Colonel *Henry Durel*, and *Tho. Beverly*, Esquires; the first being made Equerry to his Royal Highness, in the room of Colonel *James Bringfield*; and the latter Gentleman Usher to his Royal Highness, in the room of Col. *Edmund Webb*, lately deceased. Mr. *Chudleigh* was made Page of Honour to the Prince, in the room of *Henry Hawley Esq.*; who was advanced to be an Equerry, in the room of *Tho. Conyers*, Esquire.

October.

About the Beginning of *October*, Dr. *Lancaster*, Minister of *St. Martin's* Parish in *Westminster* and Provost of *Queen's* Colledge in *Oxford*, was chosen Vice-Chancellor of that University.

Towards the latter end of this Month, Sir *Rich. Cox*, Lord Chancellor of *Ireland*, was made a Baronet of that Kingdom, in consideration of his good Services.

November.

The Lord *Wharton* being made Justice in Eyre on the South side of *Trent*, took the Oaths the 4th of *November*, in the High Court of Chancery.

On the 12th of the same Month, Monsieur *Walderssee*, Counsellor of State to the King of *Denmark*, and his Majesties Envoy Extraordinary, had Publick Audience of Her Majesty, and afterwards of His Royal Highness.

On the 19th of *November* Baron *Schutz*, Envoy Extraordinary from the Elector of *Brunswick*, had a private Audience of the Queen, to notify to Her Majesty, on the Part of the Elector his Master, That the Ceremony of the Marriage of the Princess his Daughter with the Prince Royal of *Prussia*, had been performed at *Hanover*. The same Day, Monsieur *Leyoncrona*, Envoy Extraordinary from the King of *Sweden*, had a private Audience of the Queen, to acquaint Her Majesty, That a Treaty of Peace had been lately concluded between the King his Master, and the King of *Poland*.

The Envoys of Brunswick and Sweden have Audience.

The 23d of the same Month, the Queen appointed Major General *Withers* Governor of *Sherness*, in the room of Colonel *Crawford*, lately deceas'd.

Maj. General Withers made Governor of Sherness

About the beginning of this Month, the Marquis de *Montandre*, who was a Major General in the Service of *Portugal*, and was made a Major General upon the *English* Establishment, in consideration of his Faithful and Eminent Services in *Spain*, set out in order to embark for that Kingdom, (from whence he was sent by the Earl of *Galway*, to represent the State of Affairs there,) having receiv'd a handsome Present from Her Majesty.

About the same time the Marquis of *Huntley*, Son to the Duke of *Gordon*, married the Earl of *Peterborough's* only Daughter.

December ber.

On the 3d of *December*, the Earl of *Sunderland* was Sworn of Her Majesty's most Honourable Privy Council, and one of Her Majesty's Principal Secretaries of State, in the room of Sir *Charles Hedges*.

About the same time *Peregrine Bertie*, Esq; was appointed one of the Tellers of the *Exchequer*; and *Thomas Cook*, Esq; who had that Place, was made Vice-Chamberlain, in the room of Mr. *Bertie*, and one of Her Majesty's most Honourable Privy Council.

The 10th of the same Month, Baron *Spanheim*, Ambassador Extraordinary from his Majesty the King of *Prussia*, had a private Audience of Her Majesty, in which he deliver'd a Letter from the King his Master to Her Majesty, notifying the Marriage between the Prince Royal of *Prussia*, and the Princess of *Brunswick*, which was consummated the 28th of the preceding Month, N. S.

On the 10th of *January*, Monsieur *Leyoncrona*, Envoy Extraordinary from the King of *Sweden*, having received, the Character of Envoy Extraordinary from King *Stanislaus*, had a private Audience of Her Majesty at *St. James's*, to notify his Accession to the Crown of *Poland*.

January, Several Envoys have their Audiences.

Don *Luis d'Acuña*, Envoy Extraordinary from the

King

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King of Portugal, had likewise a private Audience of Her Majesty, to notify the Death of the late King Don Pedro, and the Succession to the Crown of Don Juan V. his Eldest Son.

Count Zefferini, Envoy Extraordinary from the Great Duke of Tuscany, had also a private Audience of Leave of Her Majesty.

\* Jan. 14. Four days \* after, it was declared, That Her Majesty Sir Charles had been Graciously pleased, in Consideration of the long and faithful Services of Sir Charles Hara, and as a Mark of Her Favour, to create him a Peer of Ireland, by the Stile and Title of Charles Lord Baron of Tyrawley, in Ireland. On the 21st of January, Monsieur Beyerie, being appointed by the Elector of Brunswick to be his Resident at the Court of Great-Britain, had a private Audience of Her Majesty at St. James's, wherein he presented to Her Majesty a Credential Letter from his Electoral Highness. The same \* Day Monsieur Kirchner, Resident of the King of Poland, and Elector of Saxony, had a private Audience of Her Majesty at St. James's, wherein he deliver'd a Letter from the King his Master, concerning the Treaty of Peace, which he had lately concluded with the King of Sweden.

February. On the 6th of February, being the Queen's Birth-Day, her Majesty receiv'd the Compliments of the Nobility, Foreign Ministers, and other Persons of Distinction, upon so joyful an Occasion. The Court was extraordinarily numerous and magnificent; and in the Evening was entertain'd with a splendid Ball at the Royal Palace of St. James's.

The same Day Commissioners sat in the Exchequer Court, Westminster, upon a Commission of Idioty, which was read against the Lord Viscount Wenmond of Tuam, in Ireland, who was then about 19 Years of Age, and had an Estate of 5000 l. per Ann. but his Lordship not appearing, they adjourn'd till that day fortnight, when he was ordered to appear. Some time after, the said Commission was superseded.

On the 6th of February, Baron Schutz, Envoy Extraordinary from the Elector of Brunswick, had a private Audience of Her Majesty, to notify the Birth of the young Prince, Son to the Electoral Prince of Brunswick.

On the 27th of February, it was Declared, That Her Majesty had been pleased, by Her Letters Patents, under the Great Seal of England, to constitute and appoint Michael Hyde, Esq; Commissary and Muster Master General of all the Forces in English Pay.

The same Day a Proclamation came out, appointing a General Fast to be observ'd the 9th of April next.

The next \* Day Signior Nicholo Ertzo, and Signior Alufio Pisani, Ambassadors Extraordinary from the Republic.

The Envoy of the Elector of Brunswick notifies the Birth of the Young Prince.  
Mr. Hyde appointed Muster-Master-General.  
Proclamation for a General-Fast.

publick of *Venice*, had a private Audience of Her Majesty at *St. James's*, having been presented by Signior *Cornaro*, Ambassador in Ordinary from the said Republick, and introduced by *Charles Cottrell*, Esq; Assistant Master of the Ceremonies.

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Feb. 28.  
the Extraordinary Ambassadors from *Venice*, have a private Audience. The Earl of *Dorset's* Death, Jan. 29. 1707.

A LIST of the most Eminent Persons who Died in the Year 1706.

ON the 29th of January 1706, died at *Bath*, *Charles Sackville*, Earl of *Dorset* and *Middlesex*, Baron *Buckhurst*, Lord *Cranfield* of *Cranfield*, and Knight of the most noble Order of the *Garter*, being near 70 Years of Age. His Paternal Ancestors came into *England* at the *Norman Conquest*, and their Descendants, throughout all Ages since, have been Men of great Note in their several Times; of whom *Sir Thomas Sackville*, Knighted by the Duke of *Norfolk*, on the 8th of June, 1566, in the Eighth Year of Queen *Elizabeth*, was not of the least Eminence, both for his Learning, and high Abilities. He was the same Day advanced to the Degree and Dignity of a Baron of this Realm, by the Title of Lord *Buckhurst*, and was afterwards, twice Ambassador from Queen *Elizabeth*, viz. to King *Charles IX.* of *France*, and to the States of the *United Provinces*, and was had in such high Esteem with her Majesty, (to whom he was by Consanguinity allied) That She made him Lord Treasurer of *England*, and one of the Lords Commissioners for Exercising the Office of Earl-Marshal. Upon King *James* the First's coming to the Crown, he had his Patent for that great Office of Lord High Treasurer renew'd for Life, and on the 13th of March, 1603 in the First Year of that Reign, was created Earl of *Dorset*. He was likewise Chancellor of the University of *Oxford*, and Knight of the most Noble Order of the *Garter*, being much commended for his Elocution, but much more for the Excellency of his Pen. The Earl now deceased, was created Lord *Cranfield* of *Cranfield*, and Earl of *Middlesex*, by Letters Patent bearing Date at *Westminster* on the 4th of April 1676, and succeeded his Father *Richard* Earl of *Dorset*, whose Father was *Edward* Lord Chamberlain to the Queen; and this *Richard*, the Son of *Robert*, the Son of *Thomas*, the first Earl of *Dorset*; so that *Charles* was the Sixth Earl in Descent. Upon the Revolution in 1688, he was made Lord Chamberlain of the Household to King *William III.* He had the Honour and Trust of being constituted one of the Lords Justices of *England* in 1695, 1696, 1697 and 1698: He resigned the Office of Lord Chamberlain of the Household in 1697; yet upon advantageous Terms, and was succeeded therein by the Earl of *Sunderland*. The Pregnancy and Sprightliness of his Wit, recommended him to the Esteem and Intimacy of King *Charles II.* insomuch that he was a constant Sha-

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rer of that Monarch's Pleasures. As he was a great Lover of Poetry, and made Verses himself, which had particular Graces, so he was a Bountiful Patron and Encourager of Poets, and Men of Parts. In the Reign of King James II. he atton'd for the Licentiousness of his Youth, by his firm Adherence to the Protestant Religion and Interest, and was not a little Instrumental in the late Revolution.

Mr. Evelyn dies  
Feb. 27.  
1706.

On the 27th of February died John Evelyn, Esq; being about 84 Years of Age. He was an Ornament to this Nation, and to the Common-Wealth of Learning, having made his Name famous by the following Composures, which he publish'd in his Life-Time: viz. 1. *Sylva*, a Discourse of Forest Trees. 2. *Kalendarium Hortense*, or the Gardiner's Almanack. 3. *Sculptura*, the History of Callography, and Engraving in Copper. 4. The Parallel of Architecture. 5. The Idea and Perfection of Painting. 6. Navigation and Commerce, their Original and Progress. 7. Publick Employment prefer'd to Solitude. 8. *Terra*, a Philosophical Discourse of the Earth. 9. *Nu-mismata*, a Discourse of Medals, and 10. *Acetaria*, or a Discourse of Sallets: Besides many Things in Manuscript. He was a Member of the Royal Society upon the first Institution of that Learned Body, after the Restoration of King Charles II. before the end of whose Reign he was made one of the Commissioners of the Privy Seal. When Greenwich Hospital was erected in King William's Reign, he was made Treasurer of it. His Ancestors are said to have been the first that made Gun-Powder in England.

The Earl of  
Berkshire's  
Death.

In the Month of April died Thomas Howard Earl of Berkshire, Viscount Andover, and Baron Howard of Charlton, Brother and Heir to Charles Earl of Berkshire, &c. A Branch of that Renown'd and Ducal Stock of the Howards of Norfolk. His Father Thomas Howard, second Son of Thomas Earl of Suffolk, being on the 23d of January, in the First Year of the Reign of King James I. advanced to the Titles of Lord Howard of Charlton in Wiltshire, and Viscount Andover in Hampshire, was, before the end of that King's Reign, installed Knight of the most Noble Order of the Garter; and afterwards created Earl of Berkshire on the 6th of February 1625. 1. Car. 1. a little before the Coronation of that King. This last Earl lived to a great Age, and at his Death his Estate and Honour devolved upon his grand Nephew, then about 18 Years old.

D. Fuller's  
Death.

About the beginning of the Month of June, died at Bath, Dr. Fuller, an Eminent Physician, who was the Author of an excellent Treatise, call'd *Medicina Gymnastica*.

The Lord  
Grey's  
Death.

On the 20th of June, died Ralph Lord Grey, Baron of Werk. He was the only Brother of Ford Earl of Tankerville, who dying in 1701, and with him the Earldom

and Viscountship, the Barony and Estate devolved upon this Lord, who was Governor of *Barbadoes*, when his Brother died. He dying Unmarried, and the Honour also with him; a considerable part of his Estate devolv'd upon the Lord *Northand Grey*, but what lay in his Power to dispose of, he gave to his Sister's Son Mr. *Newille*, who was to change his Name into *Grey*.

On the 2d of *July*, *John Methwen Esq;* Her Majesty's Ambassador to the King of *Portugal*, died in that Country of the Gout, and a Rheumatism. He was a Person of great Parts much improved by Study, Travel, and Conversation with the Best. His Manly, yet easy Eloquence, shin'd in the House of Commons upon many important and nice Occasions; which induced the late King *William*, of glorious Memory, to advance him to the Office of Lord Chantellor of *Ireland*; which Post he fill'd with Dignity and Applause; as he did that in which he died.

Mr. Methwen dies,  
July 2.

On the 25th of *August*, the Lord *John Hay*, Son to the Marquess of *Tweedale*, Colonel of the Royal Regiment of *Scotch* Dragoons, and Brigadier General, who acquir'd Immortal Honour at *Schöllenbergh* and *Ramelias*, died at *Courtray* of a Fever, after a Fortnight's Illness, being univerally lamented.

August.  
The Lord Hay's  
Death.

On the 27th of *August*, died *William Montague Esq;* Brother to the late Lord *Montague* of *Boughton*, and Uncle to the present Duke of *Montague*. He was, during the Nine last Years of King *Charles II.* Lord chief Baron of the Exchequer, and continued in that high Station, till the second Year of King *James II.*: When the Judges being to give their Opinions about the taking off the *Test*, and *Penal-Laws*, he was one of the first, that declared, *It could not be done but by the King and Parliament*: Whereupon he had his *Quicquid* sent him. He was not only eminent for his great Knowledge of, and inviolable Adherence to the Laws of this Land, but likewise for his Integrity, unbounded Charity, and other Christian Vertues. The Gros of his Estate was left to his Daughter the Lady *Drake*, and after her Decease to the Marquis of *Monthermer*, only Son to the Duke of *Montague*. He was 89 Years old.

Lord Chief  
Baron  
Montague's  
Death,  
Aug. 27.

The 24th of *September* died *John Arundel*, Lord *Arundel* of *Trerise*, in the Flower of his Age. He was Son and Heir of *Richard*, Baron *Arundel* of *Trerise*, a Person of a very ancient House, which had been seated at *Trerise* in *Cornwal*, from the Time of King *Edward III.* but the Family came into *England* at the *Norman* Conquest. This *Richard* was created *Ld Arundel of Trerise*, by Patent dated at *Westminster* the 23d of *March* 1664, and the 16th of *K. Charles II.*'s Reign, in Consideration of his Loyalty and Sufferings, during the Civil Wars, wherein he had courageously maintain'd his Majesty's Interest with the utmost hazard. The Lord now deceas'd Marry'd a Daughter of *Dr. Biau*, late Lord Bishop of *Llandaf*.

September.  
The Lord  
Arundel's  
Death.  
Sept. 24.

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The Lord  
Hatton  
dies.

About the middle of September died at Kirby in Northamptonshire, Christopher Hatton, Lord Viscount Hatton of Gretton, and Baron Hatton of Kirby, *Custos Rotulorum* for the County of Northampton, and Governor of the Isle of Guernsey. Son and Heir to Christopher, Comptroller of the Household to King Charles I. and one of the Lords of his Privy-Council; who was Son and Heir to Sir Christopher Hatton, Knight of the Bath, the Son and Heir of another Christopher Hatton, likewise Knight of the Bath, the Son and Heir of John Hatton, nearest Kinsman of the Male-Line to Sir Christopher Hatton Lord Chancellor of England, and Knight of the Garter, in the Reign of Queen Elizabeth. This Family took their Denomination from the Lordship of Hatton in Cheshire, and derive their Descent from Nigel Baron of Hatton, in that County, Constable to the old Earls of Chester. The Lord now deceased, was created Viscount Hatton of Gretton in the County of Northampton on the 17th of January 1682, his Loyal Father having been made Baron of Kirby, in the same County at Oxford, on the 29th of July, 1643.

Sir Bevil  
Granville  
dies.

On the 6th of November News was brought to Whitehall, That Sir Bevil Granville, Her Majesty's Governor of Barbadoes, having obtain'd leave to come for England, died in his Voyage on board the *Kinsale* Man of War.

The Lord  
Dungan-  
non's  
Death,  
Nov. 8.

On the 8th of November, died Mark Lord Dunganon at Alicante, very much lamented. He was Colonel of a Regiment of Foot, in Her Majesty's Service, and descended from a Warlike Family; his Ancestor, Colonel Mark Trevor, and the first Lord Dunganon, being the Person that charg'd Cromwell singly at Drogheda, and went near to cut off the Thred of that Life, which afterwards occasioned much Blood-shed in the three Nations; which Valour and Constancy to the Royal Cause, Oliver, some Years after, rewarded, by restoring him to his sequestred Estate, at a time when he stood most in need of it.

The Bishop  
of Win-  
chester's  
Death,  
Nov. 9.

Peter Mew, Lord Bishop of Winchester, died at Farnham Castle the 9th of November, in the 89th Year of his Age. He was Educated at Merchant-Taylor's School by the Care of his Uncle Dr. Winiff, then Dean of St. Paul's (and afterwards Bishop of Lincoln,) from thence he was Elected Scholar to St. John Baptist's-College in Oxford; and when he was chosen Fellow, the great Rebellion breaking out, he took up Arms in King Charles I's Defence. He was an Officer in that King's Army till the Fatal Year 1648, when the Royal Martyr was beheaded. Then he went into Holland; was beyond Sea in King Charles II's Service, till the Restoration, and then return'd to his College, and took the Degree of Doctor of the Civil Laws. He was Rector of Southwamborough in Hampshire, and of St. Mary's in Reading; Canon of Windsor, and Arch-Deacon of Berks; and upon the death of Dr. Baily (Dean



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of *Sarum*) he was made President of *St. John's College*: He was chosen Vice-Chancellor of *Oxford* in the Year 1669. He was some time Dean of *Rocheſter*, and in the laſt Year of his Vice-Chancellorſhip, viz. Feb. 9. 1672-3. he was made Ld Biſhop of *Bath and Wells*, where he was Biſhop about 12 Years, living very Hoſpitably, and was much belov'd of all the Loyal Gentlemen of his Dioceſs, who were in a manner Unanimous in their Country-Elections, and other Publick Concerns, during his Reſidence among them. On the 22d. of *November* 1684, he was, by King *Charles* the Second Tranſlated to the Biſhoprick of *Wincheſter*, which then became vacant by the Death of Biſhop *Morley*: And in *June* following, King *James* conſidering much in his Loyalty and Zeal for the Royal Family and Cauſe, and in compliaunce with the Requeſt of the *Somerſetſhire* Gentlemen, commanded him to go againſt the D. of *Monmouth* then in Arms in the *Wiſt*, where he did eminent ſervice. He was Biſhop of *Wincheſter* 22 Years.

On the 17th. of *November* died the Counteſs of *Pembroke*; Counteſs of a moſt Virtuouſ and Pious Lady, the only Daughter of *Pem-* Sir *Robert Sawyer* Knt. Attorney General in the Reigns of *broke's* King *Charles II.* and King *James II.* Death overtook her *Death,* in *Devonſhire*, at her Daughter's my Lady *Catherine Morris*, Nov. 17. Wife of Sir *Nicholas Morris*: She left a very numerous and hopeful Iſſue behind her by the Right Honourable *Thomas* Earl of *Pembroke and Montgomery*, Lord Preſident of Her Maſteſty's Council, and now Lord Lieutenant of *Ireland*.

On the laſt day of *November*, Sir *Robert Thorold*, Bart. Sir *Rob.* died at his Houſe in *St. James's Place*. He was (tho' *bert Tho-* his Pall was held up by the Dukes of *Graſton*, *Richmond*, *old, dies,* *St. Albans* and *Bolton*, the Marquis of *Dorcheſter*, the Earl *Nov. 30.* of *Cardigan*, and the Lords *Grantham* and *Belu*) buried, as he order'd, very privately, little Company but his own Relations attending his Corps to *St. James's Church*. He was deſcended from an Ancient Family in *Lincolnſhire*, and allied to many of the Nobility. He had naturally a very ſolid Judgment, which was improv'd by Travelling, and adorn'd by an entire Maſtery of ſeveral Languages. In his Temper and Manner of Living he was Generous, Compaſſionate, and Hoſpitale; in his Converſation, Affable and Eaſy; in his Behaviour a perfect well-bred Man, without Affectation or Formality. His Religion (which was *Roman Catholick*) ſhutting him out from all Employments and Buſineſs, he ſpent more of his time than otherwiſe he would have done in the Diverſions ſo much in uſe amongſt Men of Faſhion; but, as he underſtood the Rules of thoſe Diverſions, he was never charg'd with any thing that is Foul, or unbecom'ing a Gentleman of Integrity. Tho' a *Papiſt*, he loved the Civil Liberties of *England*, and blamed the Perſecutions on Account of Religion in foreign Countries; and pur-

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pursuant to the Perswasion he had, That every Body ought to worship God as he thinks is most acceptable to him. He was equally kind (both in his Life-time and in his Will) to his *Protestant*, as he was to his *Roman Catholick* Servants, and expected from the first, that they should, as they did, constantly go to the Church of *England*. In short, he was an excellent Friend; one of the best Masters; and a just Pay-master.

*The Lord Cutts dies.* Towards the latter end of *January 1704*, the Lord *Cutts*, one of the Lords Justices of *Ireland*, and General of the Forces of that Kingdom, died in *Dublin*. He was a Person of eminent Natural Parts, well cultivated by Study and Conversation; of a free, unreserv'd Temper; and of undaunted Bravery and Resolution. As he was a Servant to the late Queen *Mary*, when Princess of *Orange*, and learnt the Trade of War under her Consort, so he was early devoted to both their Majesties, of ever Pious and Glorious Memory; and had a great Share in, and ever warmly stickled for a Settlement of the late Happy Revolution. He was an absolute Stranger to Fear; and, on all Occasions, gave distinguishing Proofs of his Intrepidity, particularly, at the memorable Attack of the Castle of *Namur*, (in the Year 1695.) and at the Siege of *Venlo*, in the Year 1702.

*Dr. Waller dies.* *Dr. Stephen Waller*, a Civilian, died at his Seat at *Baconsfield*, on the 22d of *February*. He was a Person of an Excellent Life, good Learning, singular Probity, and great Ability and Eminence in his Profession.

*Dr. Drake dies.* On the 2d of *March* *Dr. James Drake*, Fellow of the Royal Society, and Member of the College of Physicians, *London*, died of a Fever in *Westminster*. He was a Man of quick, pregnant Parts, well stor'd with Learning, and improv'd by good Conversation. He had a great Mastery of the *English* Tongue, and wrote with Ease and Fluency, in a manly Stile. He had of late Years been principally famous for some Political Treatises, which, according to People's different Humours, Passions and Interests, underwent various Judgments, as to the Subject-matter, and Positions; tho' all agreed in commending his Way of Writing. But besides his State Treatises, and a Translation of *Herodotus*, (not yet printed) he had for several Years past been compiling a *New compleat System of Anatomy*, to which he put the finishing Hand, some time before he was taken ill, and which will speedily be publish'd in 2 Volumes in Octavo; illustrated with several new Copper Plates, drawn from the Life, by the famous Anatomist and Surgeon Mr. *William Cowper*, who assisted the Deceas'd in that great Work. 'Twas the general Opinion, 'That the severe Prosecution he underwent on Account of his *Mercurius Politicus*, occasion'd the Distemper of which he died.

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T H E  
APPENDIX

*To the Fifth Year of the ANNALS of*  
***Queen ANNE's Reign.***

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Numb. I.

*The Queen's Commission, appointing English Commissioners to Treat of an Union with Scotland.*

**A**NNE, By the Grace of GOD, of England, Scotland, France and Ireland, QUEEN, Defender of the Faith, &c. To the most Reverend Father in GOD, *Thomas* Archbishop of Canterbury, Our Right Trusty and well Beloved Counsellor *William Comper* Esquire, Our Keeper of Our Great Seal of England; The most Reverend Father in GOD, *John* Archbishop of York, Our Right Trusty and well Beloved Counsellor *Sidney Lord Godolphin*, Our High Treasurer of England; Our Right Trusty and Right well Beloved Cousin and Counsellor *Thomas* Earl of *Pembroke and Montgomery*; Our President of Our Council; Our Right Trusty and Right entirely beloved Cousins and Counsellors, *John* Duke of *Newcastle*; Our Keeper of

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Our Privy-Seal ; *William Duke of Devonshire*, Our Steward of our Household ; *Charles Duke of Somerset*, Our Master of Our Horse, and *Charles Duke of Bolton* ; Our Right Trusty and Right well Beloved Cousins, *Charles Earl of Sunderland*, and *Euclin Earl Kingston* ; Our Right Trusty and Right well Beloved Cousin and Counsellor, *Charles Earl of Carlisle* ; Our Right Trusty and Right well Beloved Cousin, *Edward Earl of Orford* ; Our Right Trusty and well Beloved Cousin, *Charles Viscount Townsend* ; Our Right Trusty and well Beloved Counsellor, *Thomas Lord Wharton* ; Our Right Trusty and well Beloved *Ralph Lord Grey* ; Our Right Trusty and well Beloved Counsellor, *John Lord Powlett* ; Our Right Trusty and well Beloved *John Lord Sommers*, and *Charles Lord Halifax* ; Our Right Trusty and well Beloved Counsellor *John Smith Esq* ; Our Right Trusty and well Beloved *William Cavendish Esq* ; commonly called Marquiss of *Harrington* ; *John Manners Esq* ; commonly called Marquiss of *Granby* ; Our Right Trusty and well Beloved Counsellor, Sir *Charles Hedges Knight*, and *Robert Harley Esq* ; Our Principal Secretaries of State ; *Henry Boyle, Esq* ; Chancellor, and under Treasurer of Our Exchequer ; Sir *John Holt Knight*, Chief Justice of Our Court of *Queen's-Bench* ; Sir *Thomas Trevor Knt.* Chief Justice of Our Court of *Common-Pleas* ; Sir *Edward Northey Kt.* Our Attorney General ; Sir *Simon Harcourt Knight* : Our Solicitor General ; Sir *John Cook Knight*, Doctor of Laws, Our Advocate General ; and *Stephen Waller Doctor of Laws* ; Greeting. WHEREAS, The Kingdoms of *England* and *Scotland*, were first United in Allegiance and Loyal Subjection in the Person of Our Royal Great Grandfather, King *James the First*, since which happy Conjunction, it hath been very much Endeavoured, that a nearer and more compleat Union might be settled between both Kingdoms, and some Progress towards the Attainment thereof was made, not only in the Time of Our said late Royal Great Grandfather, but also in the Time of Our late Royal Uncle King *Charles the Second.* And Whereas, We, out of our Princely Zeal and Care for the Welfare and Happiness of Our Subjects, being also desirous of a nearer and more compleat Union between Our Two said Kingdoms of *England* and

and Scotland, did recommend to Our Parliament of England from the Throne. to consider of proper Methods for obtaining the same. And whereas, In Our Parliament held at Westminster the Third and Fourth Years of Our Reign, an Act pass'd, Intituled, *An Act for the Effectual Securing the Kingdom of England, from the apparent Dangers that may arise from severals Acts pass'd in the Kingdom of Scotland*: In and by which Act of Parliament, it was Enacted, That such Persons as should be Nominated by Us, under Our Great Seal of England, or such, and so many of them as should in that behalf be appointed by Us to be of the Quorum, should by Force of the same Act, have full Power, Commission and Authority, at such Time and Times, and in such Place or Places as We should Please to Appoint to Assemble and Meet; and thereupon to Treat and Consult, according to the Tenor or Purport of their Authority or Commission in that behalf, with certain Commissioners as should be Authorized by Authority of the Parliament of Scotland, of, and concerning such an Union of the said Kingdoms of England and Scotland, and of and concerning such other Matters, Clauses, and Things, as upon mature Deliberation of the greatest part of the said Commissioners Assembled as aforesaid, and the Commissioners to be Authorized by the Parliament of Scotland, according to the Tenor and Purport of their Commission in that behalf, should, in their Wisdoms think Convenient and Necessary for Our Honour, and the Common Good of both our said Kingdoms for ever: And that the Commissioners of both Our said Kingdoms should, according to the Tenor or Purport of their said Authority and Commissions in that behalf, Reduce their Doings and Proceedings therein into Writings or Instruments Quadrapartite, every Part to be Subscrib'd and Seal'd by them, to the end, that one part thereof, may in all Humbleness be presented to Us; two other parts thereof to be Offered to the Consideration of the Parliament for the Realm of England, and another part thereof to be Offered to the Consideration of the Parliament for the Realm of Scotland, at their next Sessions, which should be held in each Kingdom respectively, after such Writings or Instruments should be Subscrib'd and Seal'd by the

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said Commissioners, that thereupon such further Proceedings might be had, as We, and both the said Parliaments, should think Fit and Necessary, for the Weal and Common Good of both the said Kingdoms, to whom the entire Consideration of the whole, and the Allowing or Disallowing of the whole, or any part thereof, as they shall think fit, is wholly Reserv'd, as in and by the said Act, Relation being thereunto had, may more at large appear. And whereas, in the Fourth Year of Our Reign, an Act was made and pass'd in Our Parliament of Our Kingdom of Scotland, for Enabling Us, to Appoint Commissioners to Treat with Commissioners for Our Kingdom of England, of, and concerning an Union of the said Kingdoms; NOW KNOW YE, That We Reposing especial Trust and Confidence in your Fidelity, Ability, Prudence, Industry, Diligence, and Circumspection, have Nominated, Constituted and Appointed, and by these Presents do Nominate, Constitute and Appoint you the said *Thomas Archbishop of Canterbury, William Comper, John Archbishop of York, Sidney Lord Godolphin, Thomas Earl of Pembroke and Montgomery, John Duke of Newcastle, William Duke of Devonshire, Charles Duke of Somerset, Charles Duke of Bolton, Charles Earl of Sunderland, Evelyn Earl of Kingston, Charles Earl of Carlisle, Edward Earl of Orford, Charles Viscount Townsend, Thomas Lord Wharton, Ralph Lord Grey, John Lord Powlett, John Lord Sommers, Charles Lord Hallifax, John Smith, William Marquis of Harrington, John Marquis of Granby, Sir Charles Hedges, Robert Harley, Henry Boyle, Sir John Holt, Sir Thomas Trevor, Sir Edward Northey, Sir Symon Harcourt, Sir John Cook, and Stephen Waller,* to be Commissioners for the Kingdom of England, this behalf, Giving unto you, any Seven or more of you, full Power and Authority to Assemble and Meet with the Commissioners Authoriz'd, or to be Authoriz'd by Us, pursuant to the said Act made in Our Parliament of Scotland, or so many of them as shall be a Quorum, at Our Council Chamber at the Cock-pit, Whitehall, upon Tuesday the 16th Day of April instant; and then and there to Treat and Consult with them, of, and concerning such an Union of the said Kingdoms of England and Scotland; and of, and concerning such other Matters, Clauses and Things, as  
you,

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5.

you, and the Commissioners Authoriz'd, or to be Authoriz'd, as aforesaid, or the major part of you, and them Assembled, shall, upon mature Deliberation think Convenient and Necessary for Our Honour, and the Common Good of both Our said Kingdoms for ever; and from Time to Time, with, or without Adjournments, to Assemble and Meet at the Place aforesaid, or at such other Place or Places, as the Major part of you, and them Assembled, shall think fit; and to proceed in all, and every the Matters herein before-mention'd, Committed to your Care, according to your best Discretions. And you are to take Care, that all your Doings and Proceedings in and about the Premises, with the Commissioners Authoriz'd, or to be Authoriz'd, as aforesaid, be reduc'd into Writings or Instruments Quadruplicate, and that every part thereof be Subscrib'd and Seal'd by you and them, and be presented unto Us, and the Parliament of both Kingdoms, in such Manner and Form, as in, and by the said Act first mention'd, is enjoin'd and requir'd. In Witness whereof we have caus'd these our Letters to be made Patents. Witness Ourself at *Westminster*, the 10th day of *April*, in the Fifth Year of Our Reign.

*Per Breve de private Sigillo.*

Wright.

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Numb. II.

*Her Majesty's Commission, appointing Scotch Commissioners to Treat of an Union.*

**A** N N A Dei Gratia, Magnæ Britanniz, Franciæ & Hyberniz Regina, Fideiq; Defensor, &c. Omnibus Probis Hominibus ad quos presentes Literæ nostræ pervenerint, Salutem; quandoquidem nos considerantes immense Commodum omnibus nostris subditis, per arcuiorem & completiorem Unionem Regnorum nostrorum Scotiæ & Angliæ oriundum; Cumq; per Actum Parlamenti dicti Regni

## *The Appendix:*

Angliæ, Anno Domini millesimo, septingentesimo quarto, iis personis, vel tot tali eorundem numero, qui a Nobis nominarentur, & quos Nos in hunc effectum, pro Quorum (ut loquuntur) statuerimus, plena autoritas & potestas concessa est conveniendi & tractandi cum iis Commissionariis, auctoritate Parlamenti Scotiæ muniendis, de tali Unione dictorum duorum Regnorum Scotiæ & Angliæ, ac circa quæcunque alia negotia, causas & res quæ (debita deliberatione habita majoris partis dictorum Commissionariorum, ut prædicitur, congregatorum) una cum Commissionariis auctoritate Parlamenti Scotiæ muniendis, dicti Commissionarii nostro honori & mutuo bono utriusq; Regni in perpetuum convenientia & necessaria, in eorum prudentia judicabunt: Nosq; etiam ex Regia nostra affectione, & cura ad promovendum Felicitatem omnium nostrorum subditorum, tale insigne & bonum opus prosequi desiderantes & cupientes, Parlamento nostro Scotiæ Mense Junii ultimo elapsi commendavimus, ut cum dicto Regno nostro Angliæ Tractatus institueretur; in ejus prosecutione per quartum Actum Sessionis Parlamenti ultimo elapsi decretum, statutum & ordinatum est, quod ii, & quot eorum nobis visum fuerit, sub magno Sigillo dicti antiqui nostri Regni Scotiæ, constituere & nominare, plenam Potestatem, Commissionem & Auctoritatem haberent, locis & temporibus a Nobis designandis conveniendi ac congregandi; ac cum talibus Commissionariis, auctoritate Parlamenti Angliæ muniendis, tractandi & deliberandi circa talem Unionem dictorum duorum Regnorum Scotiæ & Angliæ, & circa quæcunq; alia negotia, causas & res quæ (matura deliberatione habita majoris partis dictorum Commissionariorum, ut prædicitur, congregatorum) una cum Commissionariis, Auctoritate Parlamenti Angliæ muniendis, secundum Tenorem eorum Commissionum eatenus concessarum, dicti Commissionarii honori nostro & utilitati, & mutuo commodo dictorum nostrorum regnorum, in perpetuum conducere judicabunt; ac etiam quod dicti Commissionarii, pro utroque Regno, secundum Tenorem suorum Commissionum respective, sua acta & gesta, in eadem materia, in tria diversa scripta aut Instrumenta singulatim per ipsos, aut eorum quorum



scribenda & sigillanda rodigent & digerent; in & ad hunc finem, ut unum dictorum scriptorum, nobis, aliud dictorum scripserum vel Instrumentorum Parlamento Scotis, & tertium dictorum scriptorum aut Instrumentorum Parlamento Angliæ, proximis Parliamentorum Sessionibus in utroque Regno respective tenendis, exhibeantur; postquam dicta scripta seu Instrumenta, per dictos Commissionarios, subscripta & Sigillata fuerint; ut desuper Nos & dicta Parlamenta ultra procedamus, prout necessarium visum fuerit, pro Commundo & Bono utriusq; Regni: Quibus Parliamentis integra consideratio totius, ac in totum vel pro parte approbandi, prout iis expediens videbitur, omnino reservatur; Et per antedictum actum providitur, quod nulla Materia aut Res tractanda, proponenda, vel per dictos Commissionarios virtute predicti acti concludenda, ullius erit vigoris, seu effectus cujuscumq; donec prius auctoritate & Acto Parliamenti Regni Scotis confirmata & stabilita fuerit: Et quod non licitum erit dictis Commissionariis, de alteratione Cultus discipline aut Regiminis Ecclesiæ Sæcularis, ut nunc per Leges stabilita sunt, nullo modo tractare: Cumq; non satis experte specialem fidem & fiduciam reponamus, in fidelitate, eximiiis animi dotibus, & prudentia personarum Infra-scriptarum, viz. *Jacobi Comitis de Seafield*, summi nostri Cancellarii dicti Regni; *Jacobi Ducis de Queensberry*, Secreti nostri Sigilli Custodis; *Johannis Comitis de Marr & Roupes* Comitis de *Loudoun*, nostrorum principalium status Secretariorum; *Johannis Comitis de Sutherland*, *Jacobi Comitis de Marston*, *Davidis Comitis de Wemyss*, *Davidis Comitis de Leven*, *Jacobi Comitis de Stair*, *Archibaldi Comitis de Rosberry*, *Davidis Comitis de Glasgow*, nostri Thesaurarii Deputati; Domini *Archibaldi Campbell* Fratris Germani Ducis de *Argyle*, *Thome Vicecomitis de Duplin*, *Galichii* Domini de *Ross* unius Commissionariorum nostri Thesaurarii, Domini *Hugonis Dalrymple* Collegii nostri Justitiæ Presidis, *Adam Cockburn* de *Ormeau* nostri Justitiarii Clerici, Domini *Roberti Dundas* de *Arnistoun*, & Magistri *Roberti Sawers* de *Tilliculterio*, Separatorum Collegii Justitiæ, Magistri *Francisci Montgomery* unius Commissionariorum nostri Thesaurarii, Domini *Davidis Dalrymple* unius nostrorum Solictorum, Domini *Alexandri Gilvie*

*W*ilvia de Forglan Generalis nostri Receptoris, Domini Patricii Johnston Præpositi Edinburgensis, Domini Jacobi Smollet de Bonhill, Georgii Lockhart de Carnwarth, Gulielmi Morison de Prestounpans, Alexandri Grans de eodem Junioris, Gulielmi Secon de Pirmadden Junioris, Joannis Clarke de Pennycook Junioris, Hugonis Montgomery nuper Præpositi Glasguensis, Danielis Stuart Fratris Germani Baronis de Castlemilk, & Danielis Campbell de Arntennet; Noveritis igitur nos nominasse, constituisse & ordinasse, sicuti Nos tenore præsentium, nominamus constituimus & ordinamus memoratas personas Commissionarios, pro dicto Regno Scotiæ, ad effectum prædictum; Dando & Concedendo illis, vel eorum novem, quos pro quorum (ut loquuntur) statuimus plenam Potestatem, Commissionem & Authoritatem, congregandi & conveniendi, cum talibus Commissionariis, authoritate Parlamenti Angliæ muniendis, vel eorum sufficiente numero (vulgo Quorum.) Apud Civitatem nostram de Westminster, decimo sexto die Mensis Aprilis proxime sequentis, & Tempore, & Loco prædicto, tractandi circa Unionem dictorum Regnorum, Scotiæ & Angliæ; Et circa quæcunque; alia negotia, causas & res, quæ (matura Deliberatione habita majoris partis dictorum Commissionariorum, ut prædicitur, congregatorum) una cum Commissionariis, authoritate Parlamenti Angliæ muniendis, secundum tenorem eorum Commissionum, in hunc effectum, dicti Commissionarii, honori nostro, & Commmodo, & mutuo Bono utriusque Regni in perpetuum necessaria & convenientia judicabunt, cum potestate dictis Commissionariis, & eorum sufficiente numero (vulgo Quorum ut loquuntur) de tempore in tempus, cum aut absq; continuatione congregandi & conveniendi; Et in omnibus quibuscunq; rebus, per præsentem, vel dictum actum Parlamenti, eorum curæ conceditis & commissis, secundum eorum officium & judicium procedendi, mandando & requirendo prædictos Commissionarios curam adhibere, ut omnia sua acta & gesta in præmissis, in tria diversa scripta aut instrumenta, debite redigantur & digerantur, per eos subscribenda, sigillanda & præparanda, ita ut Nobis & Parlamenti utriusq; Regni, exhibeantur; modo per dictum actum statuto & exquisito, Declarando omni modo per præsentem; Quod licitum

### *The Appendix*

tum non erit dictis Commissionariis de alteratione Cultus Disciplinae, aut Regiminis Ecclesiae Scoticae, ut nunc per Leges stabilita sunt, ullomodo tractare; ac etiam declaranda nulla negotia, aut res tractanda, proponenda aut per dictos Commissionarios virtute praesentis Commissionis, concludenda ullius fore vigoris seu effectus cuiuscunque, donec prius Authoritate & auctoritate Parliamenti dicti antiqui Regis Scotiae, confirmata & stabilita fuerint; *Reservando* Nobis plenam potestatem & auctoritatem continuandi praesentes Commissionarios, ad quemvis locum, & quoties Nobis visum fuerit, per scriptum nostri Regali manu signatum, aut Epistolam iis directam, non obstante potestate seiplos continuandi, talibus temporibus, & ad tales locos, ut ipsis visum fuerit, per praesentes iis concessa. *In cuius vel Testimonium*, praetentibus magnum Sigillum nostrum appendi praecipimus. *Apud Aulam nostram de Kensington vigesimo septimo die mensis Februarii, Anno Domini millesimo septingentesimo sexto, Et Anno Regni nostri quarto.*

*Per Signaturam manu S. D. N.  
Reginae Supra scriptam.*

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Numb.

## Numb. III.

**ARTICLES of UNION** *Agreed on the Twenty second Day of July, in the Fifth Year of the Reign of Her Most Excellent Majesty, ANNE, by the Grace of God, Queen of Scotland, England, France, and Ireland, Defender of the Faith, &c. and in the Year of our Lord, One thousand seven hundred and Six; by the Commissioners nominated on behalf of the Kingdom of Scotland, under Her Majesty's Great Seal of Scotland, bearing Date the Twenty seventh Day of February last past, in pursuance of the fourth Act of the Third Session of Her Majesty's Current Parliament of Scotland, in the Fourth Year of Her Majesty's Reign; and the Commissioners Nominated on behalf of the Kingdom of England, under Her Majesty's Great-Seal of England, bearing Date at Westminster the Tenth Day of April last past, in pursuance of an Act of Parliament made in England the Third Year of Her Majesty's Reign, to Treat of, and concerning an UNION of the said Kingdoms: Which Articles are in all Humility to be presented to the Queen's Most Excellent Majesty, and offered to the Consideration of the respective Parliaments of both Kingdoms, pursuant to the said Acts and Commissions.*

I. **T**HAT the Two Kingdoms of Scotland and England shall, upon the first day of May next ensuing the Date hereof, and for ever after, be united into one Kingdom, by the Name of **GREAT-BRITAIN**; and that the Ensigns Armorial of the said united Kingdom be such as Her Majesty shall appoint, and the Crosses of St. Andrew and St. George be conjoin'd in such manner as Her Majesty shall think fit, and used in all Flags, Banners, Standards, and Ensigns, both at Sea and Land.

II. That

II. That the Succession to the Monarchy of the United Kingdom of *Great-Britain*, and of the Dominions thereunto belonging, after Her Most Sacred Majesty, and in default of Issue of Her Majesty, Be, Remain, and Continue to the most Excellent Princess *SOPHIA*, Electress and Dutchess Dowager of *Hannover*, and the Heirs of Her Body, being Protestants, upon whom the Crown of *England* is settled, by an Act of Parliament made in *England*, in the Twelfth Year of the Reign of his late Majesty King *William* the Third, Entituled, *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*: And that all Papists, and Persons marrying Papists, shall be excluded from, and for ever incapable to Inherit, Possess, or Enjoy the Imperial Crown of *Great Britain*, and the Dominions thereunto belonging, or any part thereof: And in every such Case, the Crown and Government shall from time to time descend to, and be enjoyed by such Person, being a Protestant, as should have inherited and enjoyed the same, in case such Papists, or Person marrying a Papist, was naturally Dead, according to the Provision for the Descent of the Crown of *England*, made by another Act of Parliament in *England*, in the first Year of the Reign of their late Majesties King *William* and Queen *Mary*, Entituled, *An Act Declaring the Rights and Liberties of the Subject, and Settling the Succession of the Crown*.

III. That the United Kingdom of *Great-Britain* be represented by one and the same Parliament, to be stiled the Parliament of *Great-Britain*.

IV. That all the Subjects of the United Kingdom of *Great-Britain*, shall, from and after the Union, have full Freedom and Intercourse of Trade and Navigation, to, and from any Port or Place within the said United Kingdom, and the Dominions and Plantations thereunto belonging; and that there be a Communication of all other Rights, Privileges, and Advantages, which do, or may belong to the Subjects of either Kingdom, except where it is otherways expressly agreed in these Articles.

V. That all Ships belonging to Her Majesty's Subjects of *Scotland*, at the time of Signing this Treaty for the Union of the Two Kingdoms, though Foreign built, shall be deem'd, and pass as Ships of the

the Built of *Great-Britain*, the Owner, or where there are more Owners, one or more of the Owners, within Twelve Months after the Union, making Oath, That at the time of signing the said Treaty, the same did belong to him or them, or to some other Subject or Subjects of *Scotland*, to be particularly named, with the Places of their respective Abodes, and that the same doth then belong to him or them, and that no Foreigner, directly or indirectly, hath any Share, Part, or Interest therein: Which Oath shall be made before the chief Officer, or Officers of the Customs, in the Port next to the Abode of the said Owner or Owners: And the said Officer, or Officers, shall be empowered to administer the said Oath; and the Oath being so administered, shall be attested by the Officer or Officers who administered the same: And being registred by the said Officer, or Officers, shall be delivered to the Master of the Ship, for Security of Her Navigation, and a Duplicate thereof shall be transmitted by the said Officer, or Officers, to the chief Officer or Officers of the Customs in the Port of *Edinburgh*, to be there entred in a Register, and from thence to be sent to the Port of *London*, to be there entred into the General Register of all Trading Ships belonging to *Great-Britain*.

VI. That all Parts of the United Kingdom for ever, from, and after the Union, shall have the same Allowances and Encouragements, and be under the same Prohibitions, Restrictions, and Regulations of Trade, and liable to the same Customs and Duties on Import and Export: And that the Allowances, Encouragements, Prohibitions, Restrictions, and Regulations of Trade, and the Customs and Duties on Import and Export settled in *England*, when the Union commences, shall, from, and after the Union, take place throughout the whole United Kingdom.

VII. That all parts of the United Kingdom be for ever, from, and after the Union, liable to the same Excises upon all Excisable Liquors: And that the Excise settled in *England* on such Liquors, when the Union commences, take place throughout the whole United Kingdom.

VIII. That from, and after the Union, all Foreign Salt which shall be Imported into *Scotland*, shall be charged at the Importation there, with the same Duties

Duties as the like Salt is now charged with; being Imported into *England*, and to be levied and secured in the same manner. But *Scotland* shall, for the space of Seven Years from the said Union, be exempted from the paying in *Scotland* for Salt made there, the Duty or Excise now payable for Salt made in *England*; but, from the Expiration of the said Seven Years, shall be subject and liable to the same Duties for Salt made in *Scotland*, as shall be then payable for Salt made in *England*, to be levied and secured in the same manner, and with the like Draw-backs and Allowances as in *England*. And during the said Seven Years, there shall be paid in *England* for all Salt made in *Scotland*, and Imported from thence into *England*, the same Duties upon the Importation, as shall be payable for Salt made in *England*, to be levied and secured in the same manner as the Duties on Foreign Salt are, to be levied and secured in *England*; and that, during the said Seven Years, no Salt whatsoever be brought from *Scotland* to *England* by Land, in any manner, under the Penalty of Forfeiting the Salt, and the Cattle and Carriages made use of in bringing the same, and paying Twenty Shillings for every Bushel of such Salt, and proportionably for a greater or lesser Quantity, for which the Carrier, as well as the Owner, shall be liable jointly and severally; and the Persons bringing, or carrying the same, to be Imprisoned by any one Justice of the Peace by the space of six Months without Bail, and until the Penalty be paid: And that, during the said Seven Years, all Salted Flesh or Fish, Exported from *Scotland* to *England*, or made use of for Victualling of Ships in *Scotland*, and all Flesh put on Board in *Scotland*, to be Exported to Parts beyond the Seas, which shall be Salted with Scots Salt, or any Mixture therewith, shall be forfeited, and may be seized; and that from and after the Union, the Laws and Acts of Parliament in *Scotland*, for Pickling, Curing, and Packing of Herrings, White Fish and Salmon for Exportation, with Foreign Salt only, and for preventing of Frauds in Curing and Packing of Fish, be continued in force in *Scotland*, subject to such Alterations as shall be made by the Parliament of Great Britain; and that all Fish Exported from *Scotland* to Parts beyond the Seas, which shall be Cured with

with Foreign Salt only, shall have the same Eases, Premiums and Drawbacks, as are, or shall be allow'd to such Persons as export the like Fish from *England*: And if any Matters or Fraud relating to the said Duties on Salt, shall hereafter appear, which are not sufficiently provided against by this Article, the same shall be subject to such further Provisions, as shall be thought fit by the Parliament of *Great-Britain*.

IX. That whenever the Sum of One Million Nine Hundred Ninety Seven Thousand, Seven Hundred and Sixty Three Pounds, Eight Shillings and Four Pence Half-penny, shall be Enacted by the Parliament of *Great-Britain*, to be raised in that of the United Kingdom, now called *England*, on Land and other Things, usually charged in Acts of Parliament there, for granting an Aid to the Crown by a Land-Tax; that part of the United Kingdom, now called *Scotland*, shall be charged by the same Act, with a further Sum of Forty Eight Thousand Pounds, free of all Charges, as the Quota of *Scotland* to such Tax; and so proportionably for any greater or lesser Sum raised in *England*, by any Tax on Land, and other Things usually charged, together with the Land; and that such Quota for *Scotland*, in the Cases aforesaid, be raised and collected in the same manner as the Cess now is in *Scotland*, but subject to such Regulations in the manner of Collecting, as shall be made by the Parliament of *Great-Britain*.

X. That during the Continuance of the respective Duties on Stamp'd Paper, Vellum and Parchment, by the several Acts now in force in *England*, *Scotland* shall not be charged with the same respective Duties.

XI. That during the Continuance of the Duties payable in *England* on Windows and Lights, which determine on the First Day of *August*, 1710. *Scotland* shall not be charged with the same Duties.

XII. That during the Continuance of the Duties payable in *England* on Coals, Culm and Cynders, which determines the 30th Day of *September*, 1710. *Scotland* shall not be charged therewith for Coals, Culm and Cynders consumed there, but shall be charged with the same Duties as in *England* for all Coal, Culm and Cynders not consumed in *Scotland*.

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XIII. That during the Continuance of the Duty payable in *England* on Malt, which determineth the the 24th Day of *June*, 1707. *Scotland* shall not be charged with that Duty.

XIV. That the Kingdom of *Scotland* be not charged with any other Duties laid on by the Parliament of *England* before the Union, except those consented to in this Treaty; in regard it is agreed, That all necessary Provision shall be made by the Parliament of *Scotland*, for the publick Charge and Service of that Kingdom for the Year 1707. *Provided nevertheless*, That if the Parliament of *England* shall think fit to lay any further Impositions, by way of Customs, or such Excises; with which, by Virtue of this Treaty, *Scotland* is to be charg'd equally with *England*; in such case, *Scotland* shall be liable to the same Customs and Excises and have an Equivalent to be settled by the Parliament of *Great-Britain*. And seeing it cannot be suppos'd, that the Parliament of *Great-Britain* will ever lay any sorts of Burthens upon the United Kingdom, but what they shall find of necessity, at that time, for the Preservation and Good of the Whole; And with due regard to the Circumstances and Abilities of every part of the United Kingdom; Therefore, *It is agreed*, That there be no further Exemption insisted on for any part of the United Kingdom, but that the Consideration of any Exemptions beyond what are already agreed on in this Treaty, shall be left to the Determination of the Parliament of *Great Britain*.

XV. Whereas by the Terms of this Treaty, the Subjects of *Scotland*, for preserving an Equality of Trade throughout the united Kingdom, will be liable to several Customs and Excises now payable in *England*, which will be applicable towards Payment of the Debts of *England*, contracted before the Union; *It is agreed*, That *Scotland* shall have an Equivalent for what the Subjects thereof shall be charg'd, towards payment of the said Debts of *England*, in all Particulars whatsoever, in manner following, *viz.* That before the Union of the said Kingdoms, the Sum of three hundred, sixty eight thousand, and eighty five Pounds ten Shillings, be granted to her Majesty by the Parliament of *England*, for the Uses after-mention'd, being the Equivalent, to be answer'd

answer'd to *Scotland*, for such parts of the said Customs, and Excises upon all exciseable Liquors, with which that Kingdom is to be charg'd upon the Union, as will be applicable to the payment of the said Debts of *England*, according to the Proportions which the present Customs in *Scotland*, being thirty thousand Pounds *per Annum*, do bear to the Customs in *England*, computed at one Million, three hundred forty one thousand, five hundred and fifty nine Pounds *per Annum*: And which the present Excises on exciseable Liquors in *Scotland*, being thirty three thousand and five hundred Pounds *per Annum*, do bear to the Excises on exciseable Liquors in *England*, computed at Nine hundred, forty seven thousand, six hundred and two Pounds *per Annum*; which Sum of three hundred, ninety eight thousand, eighty five Poundsten Shillings, shall be due, and payable from the time of the Union: And in regard, that after the Union, *Scotland* becoming liable to the same Customs and Duties payable on Import and Export, and to the same Excises on all Exciseable Liquors, as in *England*, as well upon that account, as upon the account of the Encrease of Trade and People, (which will be the happy Consequence of the Union) the said Revenues will much improve beyond the before-mention'd Annual Values thereof, of which no present Estimate can be made; yet, nevertheless, for the Reasons aforesaid, there ought to be a proportionable Equivalent answer'd to *Scotland*; *It is agreed*, That after the Union, there shall be an Account kept of the said Duties arising in *Scotland*, to the end it may appear, what ought to be answer'd to *Scotland*, as an Equivalent for such Proportion of the said Encrease, as shall be applicable to the Payment of the Debts of *England*. And for the further, and more effectual answering the several Ends hereafter mention'd, *it is agreed*. That, from and after the Union, the whole Encrease of the Revenues of Customs, and Duties on Import and Export, and Excise upon Exciseable Liquors in *Scotland*, over and above the Annual Produce of the said respective Duties, as above stated, shall go, and be apply'd, for the Term of Seven Years, to the Uses hereafter-mention'd; And that, upon the said Account, there shall be answer'd to *Scotland*, annually, from the end of seven Years

after

after the Union, an Equivalent in proportion to such part of the said Encrease, as shall be applicable to the Debts of *England*.

And whereas, from the expiration of Seven Years after the Union, *Scotland* is to be liable to the same Duties for Salt made in *Scotland*, as shall be then payable for Salt made in *England*; *It is agreed*, That when such Duties take place there, an Equivalent shall be Answer'd to *Scotland* for such part thereof, as shall be apply'd towards payment of the Debts of *England*; Of which Duties an Account shall be kept, to the end it may appear, what is to be Answer'd to *Scotland* as the said Equivalent. And generally, That an Equivalent shall be Answer'd to *Scotland*, for such parts of the *English* Debts, as *Scotland* may hereafter become liable to pay; by Reason of the Union, other than such for which Appropriations have been made by Parliament in *England*, of the Customs, or other Duties on Export and Import, Excises on all Exciseable Liquors, or Salt, in respect of which Debts, Equivalents are herein before provided. And as for the Uses, to which the said Sum of three hundred, ninety eight thousand; eighty five Pounds ten Shillings, to be granted as aforesaid, and all other Monies which are to be Answer'd or Allowed to *Scotland* as aforesaid, *It is agreed*, That out of the said Sum of three hundred, ninety eight thousand, eighty five Pounds, ten Shillings, all the Publick Debts of the Kingdom of *Scotland*, and also the Capital Stock, or Fund of the *African* and *Indian* Companies of *Scotland* advanc'd, together with the Interest for the said Capital Stock, after the Rate of Five Pounds per Cent. per Annum, from the respective Times of the Payment thereof, shall be paid. Upon Payment of which Capital Stock and Interest, *It is agreed*, The said Company be Dissolv'd and Cease, and also, That from the Time of Passing the Act of Parliament in *England*, for Raising the said Sum of Three hundred ninety eight thousand, eighty five Pounds, ten Shillings, the said Company shall neither Trade, nor grant License to Trade. And as to the Overplus of the said Sum of Three hundred, ninety eight thousand, eighty five Pounds, ten Shillings, after the payment of the said Debts of the Kingdom of *Scotland*, and the said Capital Stock and

Interest, and also the whole Entcrease of the said Revenues of Customs, Duties and Excises, above the present Value, which shall arise in *Scotland*, during the said Term of Seven Years, together with the Equivalent which shall become due, upon account of the Improvement thereof in *Scotland* after the said Term: And also, as to all other Sums, which, according to the Agreements aforesaid, may become payable to *Scotland*, by way of Equivalent, for what that Kingdom shall hereafter become liable towards payment of the Debts of *England*; *It is agreed*, That the same may be applied in manner following. *viz.* That out of the same, what Considerations shall be found necessary to be had for any Losses which private Persons may sustain, by reducing the Coin of *Scotland*, to the Standard and Value of the Coin of *England*, may be made good: And afterwards the same shall be wholly applied towards encouraging and promoting the Fisheries, and such other Manufactories and Improvements in *Scotland*, as may most conduce to the general Good of the united Kingdom. *And it is agreed*, That Her Majesty be impowered to appoint Commissioners, who shall be accountable to the Parliament of *Great-Britain*, for disposing the said Sum of Three hundred, ninety eight thousand, eighty five Pounds, ten Shillings, and all other Monies which shall arise to *Scotland*, upon the Agreements aforesaid, to the Purposes before-mention'd: Which Commissioners shall be impowered to call for, Receive, and Dispose of the said Monies in manner aforesaid. and to inspect the Books of the several Collectors of the said Revenues, and of all other Duties, from whence an Equivalent may arise: And that the Collectors and Managers of the said Revenues and Duties be obliged to give to the said Commissioners, subscrib'd Authentick Abbreviates of the Produce of such Revenues and Duties arising in their respective Districts: And that the said Commissioners shall have their Office within the Limits of *Scotland*, and shall, in such Office, keep Books, containing Accounts of the Amount of the Equivalents, and how the same shall have been disposed of from Time to Time, which may be inspected by any of the Subjects who shall desire the same.

XVI. That from and after the Union, the Coin shall be of the same Standard and Value throughout the United Kingdom, as now in *England*, and a Mint shall be continued in *Scotland*, under the same Rules as the Mint in *England*, subject to such Regulations as Her Majesty, Her Heirs or Successors, or the Parliament of *Great-Britain*, shall think fit.

XVII. That from and after the Union, the same Weights and Measures shall be used throughout the United Kingdom, as are now Established in *England*; and Standards of Weights and Measures shall be kept by those Burroughs in *Scotland*, to whom the keeping the Standards of Weights and Measures, now in use there, does of special Right belong. All which Standards shall be sent down to such respective Burroughs from the Standards kept in the Exchequer at *Westminster*, subject nevertheless to such Regulations as the Parliament of *Great-Britain* shall think fit.

XVIII. That the Laws concerning Regulation of Trade, Customs, and such Excises, to which *Scotland* is, by virtue of this Treaty, to be liable, be the same in *Scotland*, from and after the Union, as in *England*; and that all other Laws in Use within the Kingdom of *Scotland*, do after the Union, and notwithstanding thereof, remain in the same Force as before, (except such as are contrary to, or inconsistent with the Terms of this Treaty) but alterable by the Parliament of *Great Britain*, with this Difference betwixt the Laws concerning Publick Right, Policy, and Civil Government, and those which concern Private Right; That the Laws which concern the Publick Right, Policy, and Civil Government, may be made the same throughout the whole United Kingdom; but that no Alteration be made in Laws which concern Private Right, except for evident Utility of the Subjects within *Scotland*.

XIX. That the Court of Session, or College of Justice, do after the Union, and notwithstanding thereof, remain in all time coming within *Scotland*, as it is now Constituted by the Laws of that Kingdom, and with the same Authority and Privileges as before the Union, subject nevertheless to such Regulations for the better Administration of Justice, as

shall be made by the Parliament of *Great-Britain*; And that the Court of Justiciary, do also after the Union, and notwithstanding thereof, remain in all time coming within *Scotland*, as it is now constituted by the Laws of that Kingdom, and with the same Authority and Privileges as before the Union, subject nevertheless to such Regulations as shall be made by the Parliament of *Great-Britain*, and without prejudice of other Rights of Justiciary; And that all Admiralty Judicatures be under the Lord High Admiral, or Commissioners for the Admiralty of *Great-Britain*, for the time being; And that the Court of Admiralty now Establish'd in *Scotland*, be continued, and that all Reviews, Reductions, or Suspensions, of the Sentences in Maritime Cases, competent to the Jurisdiction of that Court, remain in the same manner after the Union, as now in *Scotland*, until the Parliament of *Great-Britain* shall make such Regulations and Alterations, as shall be judg'd Expedient for the whole United Kingdom, so as there be always continued in *Scotland*, a Court of Admiralty, such as is in *England*, for Determination of all Maritime Cases relating to Private Rights in *Scotland*, competent to the Jurisdiction of the Admiralty Court, subject nevertheless to such Regulations and Alterations, as shall be thought proper to be made by the Parliament of *Great-Britain*; And that the Heretable Rights of Admiralty and Vice-Admiralties in *Scotland*, be Reserved to the Respective Proprietors as Rights of Property, subject nevertheless as to the manner of Exercising such Heretable Rights, to such Regulations and Alterations, as shall be thought proper to be made by the Parliament of *Great-Britain*; and that all other Courts now in Being within the Kingdom of *Scotland* do remain, but subject to Alterations by the Parliament of *Great-Britain*; And that all inferior Courts within the said Limits do remain Subordinate, as they are now to the Supream Courts of Justice within the same in all time coming; And that no Causes in *Scotland* be Cognoscable by the Courts of Chancery, Queen's Bench, Common-Pleas, or any other Court in *Westminster-Hall*; And that the said Courts, or any other of the like nature, after the Union, shall have no Power to Cognosce, Review, or Alter the Acts or Sentences of the Judicatures within *Scotland*, or stop the Execution

Execution of the same ; And that there be a Court of *Exchequer* in *Scotland*, after the *Union*, for Deciding Questions concerning the Revenues of Customs and Excises there, having the same Power and Authority in such Cases, as the Court of *Exchequer* has in *England* ; and that the said Court of *Exchequer* in *Scotland* have Power of Passing Signatures, Gifts, Tutories, and in other Things, as the Court of *Exchequer* at present in *Scotland* hath ; And that the Court of *Exchequer* that now is in *Scotland*, do remain, until a new Court of *Exchequer* be settled by the Parliament of *Great Britain* in *Scotland* after the *Union* ; And that, after the *Union*, the Queen's Majesty, and Her Royal Successors, may continue a Privy-Council in *Scotland*, for preserving of publick Peace and Order, until the Parliament of *Great-Britain* shall think fit to alter it, or establish any other effectual Method for that End.

XX. That all Heretable Offices, Heretable Jurisdicions, Offices for Life, and Jurisdicions for Life, be reserved to the Owners thereof, as Rights of Property, in the same manner as they are now enjoyed by the Laws of *Scotland*, notwithstanding of this Treaty.

XXI. That the Rights and Privileges of the *Royal Burroughs* in *Scotland* as they now are, do remain intire after the *Union*, and notwithstanding thereof.

XXII. That by virtue of this Treaty of the Peers of *Scotland*, at the time of the *Union*, Sixteen shall be the Number to Sit and Vote in the House of *Lords*, and Forty-five the Number of the Representatives of *Scotland* in the House of *Commons* of the Parliament of *Great-Britain* ; And that when Her Majesty, Her Heirs or Successors, shall declare Her at their pleasure, for holding the first or any subsequent Parliament of *Great Britain*, until the *Parliament of Great Britain* shall make further Provision therein, a Writ do issue under the Great Seal of the United Kingdom, directed to the Privy-Council of *Scotland*, commanding them to cause Sixteen Peers, who are to sit in the House of *Lords*, to be summoned to Parliament, and Forty-five Members to be Elected to sit in the House of *Commons* of the Parliament of *Great Britain*, according to the Agreement in this Treaty, in such manner as by the Parliament of *Scotland* shall be settled.

led before the *Union*: And that the Names of the Persons so summon'd and elected shall be returned by the Privy-Council of *Scotland*, into the Court from whence the said Writ did Issue. And that if Her Majesty, on, or before the first Day of *May* next, on which Day the *Union* is to take Place, shall declare under the Great Seal of *England*, that it is Expedient, that the Lords of the Parliament of *England*, and Commons of the present Parliament of *England*, should be the Members of the respective Houses of the first Parliament of *Great Britain*, for, and on the part of *England*, then the said Lords of Parliament of *England*, and Commons of the present Parliament of *England*, shall be the Members of the respective Houses of the first Parliament of *Great Britain*, for, and on the part of *England*. And Her Majesty may, by Her Royal Proclamation, under the Great Seal of *Great Britain*, appoint the said first Parliament of *Great Britain*, to meet at such Time and Place as Her Majesty shall think fit, which time shall not be less than fifty Days after the Date of such Proclamation, and the Time and Place of the Meeting of such Parliament being so appointed, a Writ shall be immediately issued under the Great Seal of *Great Britain*, directed to the Privy-Council of *Scotland*, for the Summoning the 16 Peers, and for electing 45 Members, by whom *Scotland* is to be represented in the Parliament of *Great Britain*: And the Lords of Parliament of *England*, and the 16 Peers of *Scotland*, such 16 Peers being summoned and return'd in the manner agreed in this Treaty; And the Members of the House of Commons of the said Parliament of *England*, and the 45 Members for *Scotland*, such 45 Members being elected and return'd in the manner agreed in this Treaty, shall assemble and meet respectively in their respective Houses of the Parliament of *Great Britain*, at such Time and Place as shall be so appointed by Her Majesty, and shall be the two Houses of the first Parliament of *Great Britain*, and that Parliament may continue for such time only as the present Parliament of *England* might have continued, if the *Union* of the two Kingdoms had not been made, unless sooner dissolved by Her Majesty; And that every one of the Lords of Parliament of *Great Britain*, and every Member of the House of Commons of the Parliament of *Great Britain* in the First,



First, and all succeeding Parliaments of *Great Britain*, until the Parliament of *Great Britain* shall otherways direct, shall take the respective Oaths appointed to be taken instead of the Oaths of *Allegiance* and *Supremacy*, by an Act of Parliament made in *England*, in the First Year of the Reign of the late King *William* and Queen *Mary*, Entituled, *An Act for the Abrogating of the Oaths of Supremacy and Allegiance, and Appointing other Oaths*, and make, subscribe, and audibly repeat the Declaration mentioned in an Act of Parliament made in *England* in the Thirtieth Year of the Reign of King *Charles* the Second, Entituled, *An Act for the more effectual preserving the King's Person and Government, by disabling Papists from sitting in either House of Parliament*, and shall take and subscribe the Oath mentioned in an Act of Parliament made in *England*, in the First Year of Her Majesty's Reign, Entituled, *An Act to declare the Alterations in the Oath appointed to be taken by the Act*, Entituled, *An Act for the further Security of His Majesty's Person, and the Succession of the Crown in the Protestant Line, and for Extinguishing the Hopes of the pretended Prince of Wales, and all other Pretenders, and their open and secret Abettors*, and for Declaring the Association to be determin'd at such a time, and in such manner, as the Members of both Houses of Parliament of *England* are, by the said respective Acts, directed to take, make, and subscribe the same, upon the Penalties and Disabilities in the said respective Acts contain'd. And it is declar'd and Agreed, that these Words, *This Realm, the Crown of this Realm*, and the *Queen of this Realm*, mentioned in the Oaths and Declaration contain'd in the aforesaid Acts, which were intended to signify the *Crown* and *Realm of England*, shall be understood of the *Crown and Realm of Great Britain*; And that, in that Sense the said Oaths and Declaration be taken and subscribed, by the Members of both Houses of the Parliament of *Great Britain*.

XXIII. That the foresaid Sixteen Peers of *Scotland*, mentioned in the last preceding Article, to sit in the House of Lords of the Parliament of *Great-Britain*, shall have all Privileges of Parliament, which the Peers of *England* now have, and which they, or any Peers of *Great-Britain*, shall have after the Union; and particularly the Right of sitting upon the Tryals

of Peers: And in case of the Tryal of any Peer, in time of Adjournment or Prorogation of Parliament, the said Sixteen Peers shall be summon'd in the same manner, and have the same Powers and Privileges at such Tryal, as any other Peers of *Great-Britain*: And that, in case any Tryals of Peers should hereafter happen, when there is no Parliament in being, the Sixteen Peers of *Scotland*, who sate in the last preceding Parliament, shall be summon'd in the same manner, and have the same Powers and Privileges at such Tryals, as any other Peers of *Great-Britain*; And that all Peers of *Scotland*, and their Successors to their Honours and Dignities, shall, from and after the Union, be Peers of *Great-Britain*, and have Rank and Precedency next, and immediately after the Peers of the like Orders and Degrees in *England* at the time of the Union, and before all Peers of *Great-Britain*, of the like Orders and Degrees who may be Created after the Union, and shall be try'd as Peers of *Great-Britain*, and shall enjoy all Privileges of Peers as fully as the Peers of *England* do now, or as they or any other Peers of *Great-Britain* may hereafter enjoy the same, except the Right and Privilege of sitting in the House of Lords, and the Privileges depending thereon, and particularly the Right of sitting upon the Tryals of Peers.

XXIV. That from and after the Union, there be one Great Seal for the United Kingdom of *Great-Britain*, which shall be different from the Great Seal now us'd in either Kingdom; and that the quartering the Arms as may best sute the *Union*, be left to Her Majesty: And that in the mean time, the Great Seal of *England* be us'd as the Great Seal of the United Kingdom; and that the Great Seal of the United Kingdom, be us'd for sealing Writs to Elect and Summon the Parliament of *Great-Britain*, and for sealing all Treaties with Foreign Princes and States, and all publick Acts, Instruments and Orders of States which concern the whole United Kingdom, and in all other Matters relating to *England*, as the Great Seal of *England* is now us'd; and that a Seal in *Scotland* after the *Union* be always kept, and made use of in all things relating to private Rights or Grants, which have usually passed the Great Seal of *Scotland*, and which only concern Offices, Grants, Commissions, and pri-  
vate

vate Rights within that Kingdom ; and that, until such Seal shall be appointed by Her Majesty, the present Seal of Scotland shall be us'd for such Purposes ; and that the Privy-Seal, Signet, Casset, Signet of the Justiciary Court, Quarter Seal, and Seals of Courts now used in Scotland, be continued ; but that the said Seals be altered and adapted to the State of the Union as Her Majesty shall think fit ; and the said Seals, and all of them, and the Keepers of them, shall be subject to such Regulations, as the Parliament of Great-Britain shall hereafter make.

XXV. That all Laws and Statutes in either Kingdom, so far as they are contrary to, or inconsistent with the Terms of these Articles, or any of them, shall from and after the Union, cease, and become void, and shall be so declared to be, by the respective Parliaments of the said Kingdoms.

*In Testimony whereof, the Commissioners for the respective Kingdoms, impowered as aforesaid, have set their Hands and Seals to these Articles, contain'd in this, and the Twenty five foregoing Pages, at Westminster, the Day and Year first above written.*

Seafield Cancellor.  
Queensberry C. P. S.  
Mar S.  
Loudon S.  
Sutherland.  
Morton.  
Wemyss.  
Leven.  
Stair.  
Roseberrie.  
Glasgow.  
Arch. Campbell.  
Dupplin.  
Ross.  
Hew Dalrymple.  
Ad. Cockburne.  
F. Montgomerie.  
David Dalrymple.  
Patr. Johnston.  
Ja. Smollet.  
W. Morison.

Tbo. Cantuar.  
Wm. Couper C. S.  
Godolphin.  
Pembroke P.  
Newcastle C. P. S.  
Devonshire.  
Somerset.  
Bolton.  
Kingston.  
Sunderland.  
Orford.  
Townshend.  
Wharton.  
Pouless.  
Somers.  
J. Smith.  
Hartington.  
Granby.  
C. Hedges.  
Ro. Harley.  
H. Boyle.

*The Appendix.*

|                          |                        |
|--------------------------|------------------------|
| <i>Alexander Grants.</i> | <i>J. Hole:</i>        |
| <i>W. Seton.</i>         | <i>Tho. Trever:</i>    |
| <i>John Clark.</i>       | <i>Edw. Northey.</i>   |
| <i>Dan. Stewart.</i>     | <i>Sym. Harcourt.</i>  |
| <i>Daniel Campbell.</i>  | <i>J. Cooke.</i>       |
|                          | <i>Stephen Waller.</i> |

## Numb. IV.

*A STATE of the REVENUES, and publick INCOME of the Kingdom of England, laid before the Commissioners appointed to treat of an Union between England and Scotland, viz.*

*The Revenues appropriated for the better Support of Her Majesty's Household, and of the Honour and Dignity of the Crown (by an Act 10. Annæ Regiæ) during Her Majesty's Life.*

*Per Annum, Per Annum*

**T**HE Excise of 2 s. 6 d. per Barrel on Beer, Ale, &c. excluding 3700 Lib. a Week, appropriated thereout for publick Uses, and including so much of the Charges of Management, as is paid by the Cashier, according to a Medium of three Years last past, amounts to } 286178

The further Subsidies of Tonnage and Poundage, and other Duties upon Wines, Goods and Merchandizes imported (exclusive of Drawbacks by Debentures and Allowances for damag'd Goods) by a like Medium, is } 356841

The Revenue of the General Letter Office, or Post Office, by a like Medium, including Charges of Management paid by the Receiver, is } 101101

# The Appendix.

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|                                                                                                                                                                                        | Per Ann. | Per Ann. |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|----------|
| The Produce of the Fines arising in the Alienation Office (including the necessary Expences of the Court of Chancery, and other Charges born thereof) is by a <i>Medium</i>            | 4804     |          |
| The past Fines by a Reserved Rent on a Grant thereof in being, is                                                                                                                      | 2276     |          |
| The Produce of the Revenue arising by Wine Licences, including Charges of Management by a <i>Medium</i> , is                                                                           | 6314     |          |
| Sheriffs Profits <i>communibus annis</i> about                                                                                                                                         | 1040     |          |
| Composition in Exchequer by a <i>Medium</i> of three Years                                                                                                                             | 13       |          |
| Seizures of Uncustom'd and Prohibited Goods the like                                                                                                                                   | 13005    |          |
| The Revenue of the Dutchy of <i>Cornwall</i> , consisting of the Custom, Coinage, Duty of Tin, Rents of Lands, Fines of Leases, and other Revenues certain and casual, amount to about | 9869     |          |
| The Revenue of the Principality of <i>Wales</i> about                                                                                                                                  | 6857     |          |
| Other Revenues arising by Rents of Lands, and Fines of Leases, &c. by a <i>Medium</i> of what paid into the Exchequer in the last three Years, amount to about                         | 2906     |          |
| So the Total of the Revenues, reckoning upon a <i>Medium</i> as aforesaid, and including the said Charges of Raising the same, is about                                                |          | 691204   |

*The other Publick Income.*

Per Ann. Per Ann.

Cultoms and Subsidies of Tonnage and Poundage, by several Acts of Parliament, continue till the 1st of *August*, 1710. and are appropriated for discharging such Debts or Incumbrances, as in the said Acts are mention'd. These, excluding Draw-backs by Debentures, Portage Bills, and Allowances for dammag'd Goods, and including Charges of management paid by the Cashier, according to a *Medium* of three Years last past, do produce about

345704

Impositions on Wines, Vinegar, Tobacco and *East India* Goods, which continue to the said 1st of *August*, 1710. are appropriated for discharging of Debts as aforesaid, and excluding Draw-backs by Debentures, and Allowances for Dammag'd Goods by a like *Medium*; are about

373485

Additional Impositions on Goods and Merchandizes, are continued and appropriated as aforesaid; These, (excluding Draw-backs and Allowances) by a like *Medium*, produce

39645

The Duties on Coals, Culm, and Cynders, continu'd till the 30th of *September*, 1710. are appropriated to such Uses, as in the Acts of Parliament for the same are mention'd, by a like *Medium*

113682

The 15 *lib. per Cent.* on *Mullins*, and the Duties on *Coffee*, *Tea*, *Spices*, *Pictures*, &c. with the Additional Duties lately impos'd thereon, and upon *Calicoes*, *China Wares*, and *Unrated Drugs*, are all granted and continued to the 24th of *June*, 1710, and appropriated for Re payment of Loans with Interest: The former Duties, by a *Medium* of the last three Years (excluding Drawbacks and Allowances for dammag'd Goods) produced 42475 *lib.* and the new Duties are Estimated at 74000 *lib. per Annum*, which together is

Per Ann. Per Ann.

116475

25 *Lib. per Cent.* Additional Duty on *French Goods*, continueth for the Residue of a Term of 21 Years, from the 28th of *February*, 1696. is applicable to any Uses of the War, and the Produce thereof, by a *Medium* of the last three Years, excluding Allowances for dammag'd Goods, is about

10794

5 *sh. per Tonn* on *French Shipping* granted the 12 *Car. 2di.* is to continue so long as the Duty of 50 *Sols per Tonn* on *English Shipping* in *France*, and three Months longer, and is applicable to any uses of the War, the *medium* of the last three Years, amounts to

81

Plantation Duties granted 25 *Car. 2di.* on Goods carried from one Plantation to another, are not particularly appropriated, but applied to the uses of the War, the said *medium* is

877

|      |                                                                                                                                                                                                                                                                                                                                                                                                           |                   |
|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| w 4. | and $\frac{1}{8}$ per Cent. in Specie arising in Barbadoes, and the Leeward Islands, subject to an Annuity payable to the Heirs and Assigns of the Earl of Kinoul, are applied thereunto, and towards the Support of these Islands, pursuant to an Address of the House of Commons in that behalf, a <i>medium</i> of the Produce of the said Duty by Sales thereof made herein the last three years, is, | Per Ann. Per Ann. |
|      | Coynage Duty (being 10 <i>sh.</i> per Tonn on Wines imported) is continued to the 1st of June, 1708, and appropriated to the use of the Mint, and by a <i>medium</i> of 3 years, (excluding Draw-backs, and Allowances for damag'd Wine) is about                                                                                                                                                         | 6459              |
|      | The Duties on Whale-Finns and Scotch Linnen, continued till the 1st of August, 1710. are appropriated for discharging of Loans and other Debts (exclusive of Draw-backs and Allowances for Damage) by a like <i>medium</i> may be,                                                                                                                                                                        | 7350              |
|      | $\frac{1}{8}$ Additional Tonnage and Poudage granted for 3 years from the 8th of March, 1703. and applicable to the repayment of Loans and Interest; and by another Act continued from the 8th of March, 1706. for 98 years, for payment of certain Annuities; the produce thereof in the year, ended at Christmas last (exclusive of Draw-backs and Allowances for damag'd Goods) was                    | 10939.            |
|      |                                                                                                                                                                                                                                                                                                                                                                                                           | 81746             |



<sup>1</sup>/<sub>3</sub> d Additional Tonnage and Poundage granted for four Years from the 8th of *March* 1704 are applicable to the repayment of Loans and Interest, the Produce thereof may be esteem'd to be, at least,

Per Ann. Per Ann.

160000

3700 l. a Week, to be taken out of the Hereditary and Temporary Excise on Beer, Ale, &c. is appropriated for payment of Interest to divers Bankers and others, for Moneys lent by them to King *Cha.* 2 d. redeemable on payment of a moiety of the Principal, and for Annuities for several Terms of Years

0592400

IX. d. per Barrel Excise on Beer, Ale, &c. by one Act of Parliament, is to continue till the 17th of *May* 1703; and by another Act is granted for a further Term of 95 Years: The Produce is appropriated in the first place for satisfying Annuities on Lottery Tickets, which will end at *Michaelmas* 1710, and afterwards to the payment of Annuities by a *medium* of last three years

0164828

Another IX d. per Barrel Excise, made perpetual for payment of Annuities to the Bank of *England*, and other Annuities; This Grant not containing all the Duties given by the Act for the IX d. last mentioned, will produce by a like *medium*.

155009

And other IX d. per Barrel for 99 Years from the 25 of *January* 1692, is appropriated to payment of divers other Annuities, the like.

155000

| Duties on Low Wines and Spirits                                                                                                                                                                                                                                                  | Per Ann. Per Ann. |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| of the first Extraction continued till the <i>June 24</i> 1710, are appropriated for re-payment of Loans with Interest, by a <i>Medium</i> for the last three years will make                                                                                                    | 23267             |
| Duties on Malt, Mum and Cyder, have been continued from year to year for several years past, and are computed at                                                                                                                                                                 | 650000            |
| <i>Memorand. in most years this Fund proves deficient:</i>                                                                                                                                                                                                                       |                   |
| XII d. per Bushel on Salt granted 5 <i>W. &amp; M.</i> in perpetuity, is appropriated till the first of <i>Aug.</i> 1710, towards payment of Debts and Incumbrances ( <i>exclusive</i> of Draw-backs for Salt and Fish exported) by the produce of the last year may be reckoned | 54621             |
| 28 d. per Bushel on Salt granted 9 <i>W.</i> in perpetuity, towards payment of Annuities after the rate of 8 <i>per Cent.</i> to the Traders to <i>India</i> , by a like Computation, is                                                                                         | 128038            |
| Rent of Hackney-Coaches being 4 <i>l.</i> per Ann. each, for 700 Coaches, continues for the residue of a Term of 21 years, from <i>Midsummer</i> 1694, is applied to the service of the War, and amounts to                                                                      | 28000             |
| Licenses to Hawkers and Pedlars continued to 24th <i>June</i> , 1710, are appropriated towards paying off Loans with Interest, and by a <i>Medium</i> of three years is,                                                                                                         | 6460              |

|                                                                                                                                                                                                                                                                                                                                                   |         |   |   |               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|---|---|---------------|
| Stamp Duties on Vellom, Parchment and Paper, part whereof continues till the first of <i>August</i> 1710, and is appropriated for re payment of Loans; the other part is granted in perpetuity towards payment of Annuities to the Traders to <i>India</i> by a <i>Medium</i> of 3 years, (excluding Allowances for prompt payment) have produced | 89110   |   |   |               |
| The Duties on Windows continued to the 1st of <i>August</i> 1710, for re-payment of Loans and other Debts, produce about                                                                                                                                                                                                                          | 112069  |   |   |               |
| The Aid of 4 s. in the Pound on Land, &c. for the present year is ascertain'd at,                                                                                                                                                                                                                                                                 | 199776  | 3 | 4 | $\frac{1}{2}$ |
|                                                                                                                                                                                                                                                                                                                                                   | 5000599 | 3 | 4 | $\frac{1}{2}$ |
| <i>Total of the Incomes and Revenues.</i>                                                                                                                                                                                                                                                                                                         | 5691803 | 3 | 4 | $\frac{1}{2}$ |

*Memorand.* The Revenues of the First Fruits and Tenth's by an Act of the 1st of *Q. Anne*, were granted for support of the Civil Government, but are not computed here, because they have been since given in perpetuity for the Augmentation of the Maintenance of the Poor Clergy: And also the Money arising by Prizes with the Perquisites of Admiralty, which have been both applied to the uses of the War, are not inserted in this Computation, because the said Prizes cease with the War, and the Lord High Admiral hath relinquish'd his Droits of Admiralty for no longer time than the War lasts.

A STATE of the Debts of the Kingdom of  
*England*, viz. Principal Money Borrowed on  
 the several Funds undermentioned, which re-  
 main, at this time, unsatisfied, that is to say,

|                                                                                                                                                                                                                                                    | <i>l.</i> | <i>s.</i> | <i>d.</i> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|-----------|
| On the Cu-<br>stoms granted } 3 <i>W. &amp; M.</i> 21056                                                                                                                                                                                           | 5         | 1         | ½         |
| Additional }<br>Impositions } <i>cod. anno</i> 112474                                                                                                                                                                                              | 19        | 10        | ½         |
| First 4 <i>s.</i> Aid 4 <i>W. &amp; M.</i> 17500                                                                                                                                                                                                   |           |           |           |
| Second Quar-<br>terly Pole } 5 <i>W. &amp; M.</i> 34565                                                                                                                                                                                            | 13        |           |           |
| Stamp Duties <i>cod. anno</i> 66949                                                                                                                                                                                                                | 7         | 8         | ½         |
| Third 4 <i>s.</i> Aid 6 <i>W. &amp; M.</i> 53603                                                                                                                                                                                                   | 7         | 3         |           |
| Duties on Mar-<br>riages, &c. } <i>cod. anno</i> 62516                                                                                                                                                                                             | 4         |           |           |
| Fourth 4 <i>s.</i> Aid 7 <i>W.</i> 103039                                                                                                                                                                                                          |           | 8         |           |
| These are provided for by an<br>Act of the 8th <i>W.</i> which con-<br>tinues several Funds therein<br>mentioned to the 1st of <i>August</i><br>1706.                                                                                              | 471704    | 17        | 11 ½      |
| There also remains to discharge<br>the Exchequer Bills. issued by<br>vertue of several Acts of Par-<br>liament (over and above<br>230000 <i>l.</i> computed to be due<br>for Interest) the principal<br>Sum of                                     | 534062    | 9         | 8         |
| To satisfy Loans on the 3 <i>s.</i> in<br>the pound granted 8 <i>W.</i> (over<br>and above 169000 <i>l.</i> by Com-<br>putation for Interest) the prin-<br>cipal Sum of                                                                            | 423098    | 18        | 3 ½       |
| To satisfy Loans on the Duties<br>on Paper, Vellom, &c. Gran-<br>ted for two years, from the<br>first of <i>March</i> 1696 <i>anno octavo</i><br><i>Willielmi</i> , besides 6160 <i>l.</i> By<br>Computation for Interest, the<br>principal Sum of | 15400     |           |           |

# *The Appendix.*

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|                                                                                                                                                                                                                      |        |    |    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|----|----|
| To Discharge Malt-Tickets issued 8 <i>W.</i> besides (254554 <i>l.</i> for 6 years Interest) the principal Sum of                                                                                                    | 579000 |    |    |
| To satisfy Loans transferred to the Duties on Leather, granted 8 <i>W.</i> for 3 years from 20 April 1697 (besides about 105000 <i>l.</i> for Interest) the principal Sum of                                         | 504438 |    |    |
| To satisfy Loans on the Quarterly Pole, granted 9 <i>W.</i> (besides about 73000 <i>l.</i> for Interest) the principal Sum of                                                                                        | 226770 | 1  | 7  |
| To satisfy Loans on the 3 <i>s.</i> in the pound granted 10 <i>W.</i> (besides about 5200 <i>l.</i> for Interest) the principal Sum of                                                                               | 31271  | 6  | 3½ |
| To compleat the payment wanting at Michaelmas 1701, on the yearly Sum of 160000 <i>l.</i> intended to be paid by the Act 9 <i>W.</i> out of certain Duties on Salt and Stamp Vellom to the Traders to <i>India</i> . | 70872  | 11 | 1½ |

Total of the principal Sum 2384914 11 1½

|                                                                                                                            |         |   |    |
|----------------------------------------------------------------------------------------------------------------------------|---------|---|----|
| And the several Computations of Interest, at this time due, as abovementioned, amount to                                   | 842914  |   |    |
| These are provided for by an Act, 1 <i>Anna</i> , by continuing several Funds therein mentioned to the 1st of August 1710. | 3227828 | 2 | 4½ |

There is further owing on the following Funds, *viz.*

|                                                                             |        |    |   |
|-----------------------------------------------------------------------------|--------|----|---|
| On Low-Wines, &c. Granted<br>13 <i>W.</i> for 5 years, the principal Sum of | 6674   | 10 | 3 |
| Duty on Coals, &c. 2 <i>Anna</i> for<br>5 years from 14, 1703.              | 235720 | 4  |   |
| $\frac{1}{3}$ Tonnage and Poundage <i>cod</i><br><i>anno.</i> For 3 years   | 55236  | 4  | 6 |
| $\frac{2}{3}$ Ditto, 3 <i>Anna</i> for 4 years from<br>8 March 1704,        | 545957 | 4  |   |
| Low-Wines, &c. <i>cod anno</i> until<br>1710.                               | 692000 |    |   |

These are Debts on Funds not  
not expired, and which are  
reckoned sufficient to satisfy  
the same.

|                                     |                         |        |     |
|-------------------------------------|-------------------------|--------|-----|
| On Duties on<br>Coals granted       | 9 <i>W.</i> for 5 years | 16000  |     |
| Second 2 <i>s.</i> Aid              | 11 <i>W.</i>            | 12733  | 6 8 |
| $\frac{2}{3}$ 3 <i>s.</i> Aid       | 12 <i>W.</i>            | 9753   | 12  |
| 6, 4 <i>s.</i> Aid                  | 1 <i>A.</i>             | 42399  | 5   |
| Subsidies or Ca-<br>pitation Duties | <i>cod Anno</i>         | 173849 | 7   |

The Money resting unsatis-  
fied on Debentures, &c.  
were charged on the *Irish*  
Forfeitures about

These are Deficiencies not yet  
provided for by Parliament

Other Incumbrances, *viz.*

The 9 *d.* per Barrel Excise, which  
was granted for 99 years from  
the 25th Jan. 1692, is charged  
with 124866 *l.* per annum for  
Annuities, for which there  
was contributed 1492379 *l.* 7 *s.*  
and there being now about  
13 years expired, the remain-  
der of the Term may be esti-  
mated to be a present Incum-  
brance of

The same 9 d. p. Barrel is also charg'd with 7567 l. per ann. for Annuities to the Contributors of 108100 l. on the advantage of Survivorship, till the number of Survivours be reduc'd to seven, and then the share or 7th part of each of them as they die to revert to the Crown: This Estate has an uncertain termination, but may be reckon'd equal to a Term of thirty years, and so be an Incumbrance of about

104149

The 9 d. per Barrel Excise granted in perpetuity, is charg'd, to wit,  $\frac{1}{3}$  parts thereof with 100000 l. per ann. to the Bank of England, for 1200000 advanced by them, this is redeemable on payment of the said Principal Sum, as in the Act is mentioned.

1200000

The remaining  $\frac{2}{3}$ ths, is Charg'd with 15336 l. 13 s. 6 d. per ann. for 176744 l. 1 s. 9 d. Contributed for those Annuities which were at first purchased for one Life, and afterwards turned into Estates certain for 98 years, from 25 Jan. 1702. Which by reason of the small time elaps'd may still be reckoned an Incumbrance of

176000

And with the Sum of 20030 l. 1 s. per ann. for such of the Contributors of 170917 l. 2 s. 3 d. for Annuities for 2 Lives as are now in being, and abating out of the Contribution Money so much as was paid for Annuities since fallen, there rests an Incumbrance of

166917

2 3

And also with 2093 *l.* 10 *s.* 4 *d.* *per annum*, to such of the Contributors of 21235 *l.* 4 *s.* for Annuities for 3 Lives as are now in being, and abating out of this Contribution, so much as was paid for Annuities of 30 *l.* since fallen, there rests an Incumbrance of

20935 4

The 9 *d.* *per* Barrel Excise granted for 16 years, from the 17th May 1697, is Charg'd with the Payment of 140000 *l.* *per ann.* upon Tickets, commonly called the Million-Lottery-Tickets, for the residue of a Term which expires at Michael. 1710. And the said Annuity being valued for the 4 years and  $\frac{1}{2}$  yet to come, at a Rebate of 6 *per Cent. per Annum*, Compound Interest is worth.

538185

The 28 *d.* *per* Bushel on Salt, and the Additional Stamp Duties are granted in Perpetuity, and charged with the payment of 160000 *l.* *per Annum*, to the Traders to India, for 2 Millions advanced to the Publick, and is redeemable by Parliament upon paying the said

2000000

The 3700 *l.* a Week, payable out of the Hereditary and Temporary Excise, is charg'd with 39855 *l.* 16 *s.* 0 *d.* *per Ann.* for Bankers and others, who Lent 1328526 *l.* to King Charles the 2<sup>d.</sup> redeemable by Parliament upon payment of a Moiety of the said Principal, which is

664263

And



And with 104745 l. 10 s. 6 d.  $\frac{1}{2}$   
 per Ann. for 1569664 l. 18 s.  
 6 d. contributed for Annuities  
 for 99 Years from Lady-Day  
 1704. } 1569664 18 6

And also with 46000 l. per Ann.  
 to the contributors of 690000 l.  
 for Annuities for 99 Years,  
 from Christmas 1705. } 690000

The  $\frac{1}{3}$  Subsidy from 8 March 1706,  
 and the 9 d. per Barrel Excise  
 (at present applicable to the  
 payment of the Million Lot-  
 tery-Tickets) with an Addi-  
 tional Supply till those Funds  
 come in, are charg'd with  
 184242 l. 14 s. per Ann. to  
 the Contributors of } 2855761 16 2

2855761 l. 16 s. 2 d. for Annu-  
 ities for 99 Years from Lady-  
 Day, 1706. } 11470451 11

Total 17763842 17 3  $\frac{1}{2}$

*Memorand.* That nothing is Inserted in this Account  
 as a Debt on any Land-Tax, or Malt-Duty, which  
 are Annual Grants, except where any of them  
 have proved Deficient.

*Memorand.* There is a Claim made by the Assignee of  
 the Earl of Kinnoul of 17250 l. out of the 4 and  $\frac{1}{2}$   
 per Cent. on Account of Arrears on an Annuity of  
 1000 l. incurr'd before Her Majesty's Accession  
 to the Crown.

*A State of the Publick Revenue of Scotland, as  
it now is, and may amount to.*

|                                                                                                                                                                                     |   |                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---------------------------------|
| The Excise on Ale and Beer, is<br>2 s. Sterling per Scotch Gallon,<br>and now Farm'd for 33500 l.<br>Sterling, and if exacted in the<br>same manner as in England,<br>may amount to | } | l.      s.      d.<br><br>50000 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---------------------------------|

|                                                                                                                                                                                                                              |   |       |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|-------|
| The Customs have been Lett at<br>34000 l. and are now in time<br>of War Lett for 28500 l. with<br>a Condition in the Lease,<br>That upon a Peace, the Lords<br>of the Treasury may Lett a<br>new Lease, and may amount<br>to | } | 50000 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|-------|

|                       |   |      |
|-----------------------|---|------|
| The Crown Rents about | } | 5500 |
|-----------------------|---|------|

|                                                                                                        |   |      |
|--------------------------------------------------------------------------------------------------------|---|------|
| The Casualty of Superiorities<br>and Compulsions at the Exche-<br>quer <i>communibus annis</i> , about | } | 3000 |
|--------------------------------------------------------------------------------------------------------|---|------|

|                                                                          |   |      |
|--------------------------------------------------------------------------|---|------|
| The Post-Office Farm'd at<br>1194 l. but, if Collected, may<br>amount to | } | 2000 |
|--------------------------------------------------------------------------|---|------|

|                             |   |      |
|-----------------------------|---|------|
| The Impositions for Coinage | } | 1500 |
|-----------------------------|---|------|

|                                                                                                                     |   |       |
|---------------------------------------------------------------------------------------------------------------------|---|-------|
| Land Tax is now 36000 Pounds,<br>and to make it equal with the<br>4 s. per Pound in England, 'tis<br>proposed to be | } | 48000 |
|---------------------------------------------------------------------------------------------------------------------|---|-------|

---

160000

---

|                                                                                          |   |        |
|------------------------------------------------------------------------------------------|---|--------|
| The Debt's due to the Army,<br>Civil List, and other Charges<br>of the Government, about | } | 160000 |
|------------------------------------------------------------------------------------------|---|--------|

An Account of the Neat Annual produce of the Customs in *England*, from a Medium of 3 years, ended at *Michaelmas* 1705, with the respective Times or Terms, for which they have Continuance; and the Uses for which they are severally appropriated or applied, viz.

Neat Money per Ann.

|                                                                                                        |      |    |    |
|--------------------------------------------------------------------------------------------------------|------|----|----|
| For the Civil Government.                                                                              | l.   | s. | d. |
| Customs and Subsidies of Tonnage and Poundage granted 1 Ann. <sup>s</sup> , during her Majesty's Life. | 2535 | 14 |    |

Several Branches not appropriated to the payment of Debts, viz.

|                                                                                                                                                      |   |       |
|------------------------------------------------------------------------------------------------------------------------------------------------------|---|-------|
| 25 per Cent. Additional Duty on French Goods, for the Remainder of a Term of 21 years from 28 Febr. 1696, is applied towards the Services of the War | } | 10765 |
| Coinage Duties continues to the first of June 1708, and is appropriated to the uses of the Mint                                                      |   |       |

|                                                                                                                                                                                                                                                                                           |   |      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|------|
| 1/2 per Cent. in Specie from Barbadoes and the Leeward Islands, is perpetual, and applied, pursuant to an Address of the House of Commons, towards the support of those Islands, subject also to an Annuity of 1000 <i>l.</i> per Annum, To the Heirs and Assigns of the Earl of Kinnoul. | } | 7350 |
|                                                                                                                                                                                                                                                                                           |   |      |

|                                                                                                                                                          |   |     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|---|-----|
| Plantation-Duties upon particular Commodities, carried from one Plantation to another, 25 Car. 2. made perpetual, not appropriated to any particular Use | } | 875 |
|                                                                                                                                                          |   |     |

25480

These

*These undermentioned are appropriated for payment of Debts, till the first of August, 1710. Tho' the said Debts Charg'd thereon, will, by Computation, be paid off sooner.*

|                         |   |        |
|-------------------------|---|--------|
| The Subsidy of Ton-     | } | 292139 |
| nage and Poundage       |   |        |
| granted 12 Car. 2di.    |   |        |
| Impositions on Wines    | } | 113918 |
| and Vinegar granted     |   |        |
| 1 Ja. 2di.              |   |        |
| Impositions on To-      | } | 100338 |
| bacco — Ditto           |   |        |
| Impositions on East-    | } | 150899 |
| India Goods — Ditto     |   |        |
| Additional Impositions  | } | 38548  |
| on several Goods and    |   |        |
| Merchandizes 4 Will.    |   |        |
| Several Impositions and | } | 106219 |
| Duties on Whale Fins    |   |        |
| and Scottish Linnen.    |   |        |
| 5 Will.                 |   |        |
|                         |   | 706471 |

*Other appropriated Branches.*

|                                 |   |        |
|---------------------------------|---|--------|
| 15 per Cent. on Mullings, &c.   | } | 116475 |
| Granted by several former       |   |        |
| Acts, were by an Act 3 Anna,    |   |        |
| continued to 24th June 1710.    |   |        |
| And by that Act doubled, and    |   |        |
| several new Duties thereby      |   |        |
| granted from Febr. 1704, to     |   |        |
| to the said 24th of June 1710.  |   |        |
| And made a Fund for Borrow-     |   |        |
| ing 700000 l. at an Interest of |   |        |
| 6 per Cent. per Annum. And      |   |        |
| so much of the said Duties as   |   |        |
| is under the management of      |   |        |
| the Commissioners of the Cu-    |   |        |
| stoms was estimated in Parlia-  |   |        |
| ment, to amount to about        |   |        |
| per Ann.                        |   |        |

<sup>2</sup>/<sub>3</sub> Additional Tonnage and Poundage, 3 *An.* for 4 years from the 8th *March* 1704, are appropriated for re payment of Loans, not exceeding 636957*l.* 4*s.* 0½*d.* with Interest, after the Rate of 6 *per Cent. per Ann.* And by an Act 4 *An.* Continued towards payment of Annuities, till the 30th of *September* 1710. By the nearest Computation that can be made, will produce at least.

160000

*Tonnage and Poundage granted, 2 An. for*  
3 Years, from 18th of *March*, 1703. And thereby made a Fund of Credit for 300000*l.* at an Interest after the Rate of 5 *per Cent. per Annum* afterwards, 4 *Ac.* continued for 98 Years, from the 8th of *March*, 1706. Together with 9 *d. per Barrel* Excise, appropriated towards payment of 184242*l.* 14*s.* *per Annum*, in Annuities, a Medium of the Produce thereof in the 3 Years, ended at *Michaelmas*, 1705. is,

79619

*Neat Money per Annum.*

Totals for the Civil }  
Government ——— } 253514  
Unappropriated ——— } 25480  
Appropriated for Debts }  
to 24th *June*, 1710. } 116475  
For other Debts till }  
1st *August*, 1710. } 706471  
For *Ditto*, till 30th of }  
*Sept.* 1710. } 160000  
For 98 Years, from 8th }  
of *March*, 1706. } 79619

Total, per ann. 1341559

Duties on Coals, Culm and Cyn-  
 ders, by an Act 1 *Ac.* Conti-  
 nued from 14th May, 1703,  
 to 15th May, 1708. And  
 thereby charg'd with 500000*l.*  
 and Interest by another Act,  
 4 *Ac.* Continued to the 30th  
 of September, 1710. And ap-  
 propriated towards Payment  
 of Annuities, those Duties are  
 Collected at the Custom-  
 House, and by a Medium of  
 three Years, ended at Michael-  
 mas, 1705. *per ann.* about 110958

*An Account of the Proportions which the present  
 Customs of Scotland do bear to the several Bran-  
 ches of that Revenue in England, exclusive of the  
 Increase that may arise by the higher Duties, or  
 greater Importations after the Union.*

|                                                  | <i>l.</i>           | <i>s. d.</i> | Scotts Customs | <i>l.</i>         |
|--------------------------------------------------|---------------------|--------------|----------------|-------------------|
| English Customs                                  | 1341559             |              | Proportions.   | 30000             |
| For the Civil Government,                        | 253514              |              |                | 5669              |
| Unappropriated<br>as to any Debts,               | 25480               |              |                | 570               |
| Appropriated<br>for Debts till<br>24 June, 1710. | 116475              | 2605         |                |                   |
| Till 1st Aug. 1710.                              | 706471              | 15798        |                |                   |
| Till 30th of Sep-<br>tember, 1710.               | 160000              | 3578         |                | 23761             |
| For 98 Years,<br>from 8th March,<br>1706.        | 79619               | 1709         |                |                   |
|                                                  | <hr/> 1341559 <hr/> |              |                | <hr/> 30000 <hr/> |

*An Account of the neat Annual Produce of the Excise on Beer and Ale in England, from a Medium of three Years, ending at Michaelmas, 1705. with the respective Times or Terms, for which the several Branches thereof have Continuance, and the Uses to which they are severally appropriated or applied, viz.*

*For the Civil Government.*

2 s. and 6 d. per Barrel on Beer, Ale, &c. 15 d. whereof is to continue during Her Majesty's Life, and the other 15 d. is hereditary; these during Her Majesty's Life, are appropriated towards defraying the Charge of the Civil Government, after a Deduction of 3700 l. a Week appropriated thereout, for payment of Annuities, and by a Medium of 3 years ended at Michaelmas, 1705. The neat Produce into the Exchequer, over and above the said 3700 l. a Week, will be,

269837

*For Annuities, and other Publick Debts.*

3700 l. a Week to be taken out of the Hereditary and Temporary Excise during Her Majesty's Life, and afterwards out of the Hereditary part for ever; is appropriated for payment of

39855 l. 16 s.  $\frac{1}{2}$  d. per An. to Bankers and others, for Interest, after the rate of 3 l. per Cent. for 1328526 l. lent to King Charles the II. redeemable on payment of a Moiety of the said Principal, being 664263 l. and for payment of

104742 l.

104742 l. 10 s. 6 d. *per Annum*,  
for 99 years, from *Lady day*,  
1704. for 1569664 l. 18 s. 6 d.  
contributed for Annuities.

46000 l. *per Ann.* for 99 years,  
from *Christmas*, 1705. for  
690000 l. *Purchase money*,  
contributed for Annuities.

190598 l. 6 s. 7 d. and the rest  
for Charges in paying the said } 192400  
Annuities. In all

IX d. *per Barrel* Excise granted  
4 W. for 99 years, from the  
25th *January*, 1692. is charg'd  
with 124866 l. *per Annum* for  
Annuities, for which there  
was contributed 1492379 l.  
7 s. and with 7567 l. *per Ann.* } 150106  
for 108100 l. advanced for  
Annuities on the Advantage  
of Survivorship, by a *Medium*  
of the neat Produce into the  
Exchequer in the said three  
years, is

Another 9 d. *per Barrel* & W. made perpetual, is ap-  
propriated as follows, viz.

Five Sevenths thereof for Pay-  
ment of 100000 l. *per annum*,  
to the Bank of *England* for  
1200000 l. advanced by them,  
which is redeemable on pay-  
ing the principal Sum, as in  
the said Act is mentioned.  
And,

Two Sevenths with 15336 l.  
13 s. 6 d. *per Annum*, for  
176744 l. 1 s. 9 d. Contri-  
buted for Annuities, which  
were at first purchased for  
single Lives, and afterwards  
turn'd into Estates certain for  
89 Years, from the 25th of  
*Jan.* 1702.

And



# *The Appendix.*

47

And also with 20030 *l.* 1 *s.*  
*per Annum*, for 1709<sup>17</sup> *l.*  
 2 *s.* 3 *d.* advanced for Annu-  
 ity for two Lives.

And also with 2093 *l.* 10 *s.*  
 4 *d.* *per annum*, for 21235 *l.*  
 4 *s.* Contributed for Annu-  
 ities, for three Lives, the Pro-  
 duce of the 9 *d.* by a medium  
 of the said 3 Years, is

150094

And one other 9 *d.* *per* Barrel for  
 16 Years from the 17th of  
 May, continued 4 *d.* from the  
 17th of May, 1713. for 95  
 Years, is appropriated for  
 paying 140000 *l.* *per ann.* on  
 Million Lottery-Tickets, for  
 the Remainder of a Term of  
 16 Years, which will end at  
 Michaelmas, 1710. and after-  
 wards towards paying Annu-  
 ities amounting to 184242 *l.*  
 14 *s.* *per Ann.* purchas'd for 99  
 Years, from Lady-day, 1706.  
 The neat Produce of this 9 *d.*  
 (which contains some additio-  
 nal Duties on Brandy, &c.  
 not granted by the two former  
 Acts) from a Medium of the  
 said 3 Years, is,

159898

Low Wines and Spirits of the  
 first Extraction, continued by  
 an Act 4 *d.* from the 25th of  
 March, 1706. to the 24th of  
 June, 1710. are appropria-  
 ted towards re-payment of  
 700000 *l.* authoriz'd to be bor-  
 row'd, as well upon Credit of  
 these Duties, as upon an addi-  
 tional Duty of 1 *s.* 1 *p.* *Cent.* on  
 Muslins, &c. The neat Pro-  
 duce hereof by a like Medium,  
 is,

25267

Total

677765

Out

Out of which is to be deducted,  
so much, as by the foregoing  
neat Produce, will be more  
than sufficient to pay the  
above-mention'd Annuities,  
*viz.*

A superplus of the  
9 *d.* per Barrel for  
the remainder of } 17673  
99 years, from the  
25th of Jan. 1692.

A superplus of the  
9 *d.* for the Bank, } 12634  
and others,

A superplus of the  
Lottery, 9 *d.*  
continued for An-  
nuities, with the } 55274: 6  
 $\frac{1}{2}$  *d.* Subsidy of  
Tonnage, and  
Poundage,

All which are unappropriated,  
and amount to }

85581 6

And then the Total of the several  
Branches of Excise appro-  
priated for payment of Debts  
is, *per Annum.* }

592183 14

# The Appendix.

49

An Account of the Proportions which the present Excise upon Liquors in Scotland, doth bear to the several Branches of that Revenue in England, exclusive of the Increase that may arise by the higher Duties, or greater Consumption after the Union.

|                                                                                                  | l. s. d.          |  |  |              |
|--------------------------------------------------------------------------------------------------|-------------------|--|--|--------------|
| English Excise                                                                                   | p. Ann. 33500     |  |  |              |
| p. Ann.                                                                                          | 947602            |  |  |              |
| For the Civil Government,                                                                        | 269837.           |  |  | Proportions  |
| Superpluses unappropriated.                                                                      | 85581 6           |  |  | 9539<br>3025 |
| Appropriated for Debts,                                                                          |                   |  |  |              |
| 3700l. a Week for payment of Annuities for 99 Years, and in perpetuity redeemable by Parliament. | 192400 6802       |  |  |              |
| IX. d. per Barrel for the Remainder of 99 Years, from the 25th of Jan. 1692.                     | 132433 4682       |  |  |              |
| IX. d. per Barrel for the Bank, &c.                                                              | 137460 4860       |  |  | 20936        |
| IX. d. per Barrel for payment of Lottery-Tickets, and afterwards for Annuities.                  | 104623 14 9<br>36 |  |  |              |
| Low Wines till June 24. 1710                                                                     | 25267 893         |  |  |              |
|                                                                                                  | 947602            |  |  | 33500        |

*An Account of the Value of the Annual Sums contributed out of the Customs of Scotland, (according to the present Produce thereof) towards the anticipated Funds of the Customs of England, viz.*

|                                                                                                                                                               |       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| 2605 l. per Annum from the 25th of March, 1707. until the 24th of June, 1710. estimated in present Money.                                                     | 7577  |
| 15798 l. per Annum from the 25th of March, 1707: to the first of August, 1710. estimated at                                                                   | 47506 |
| 3578 l. per Annum from the 25th of March, 1707. to the 30th of September, 1710. estimated at,                                                                 | 31251 |
| 1780 l. per Annum from the 25th of March, 1707. for 98 Years, commencing the 25th of March, 1708. at the rate of 15 Years and three Months purchase, comes to | 7145  |

---

79479

---

*A Computation of the Value of the Annual Sums, contributed out of the Scots Excise (estimated at 33500 l. per Annum) towards the anticipated Excise Funds in England, viz.*

|                                                                                                                                                                                                                                            |           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| 6802 l. per Ann. out of the Excise in Scotland, towards payment of Annuities for 99 Years, which are charg'd on the 3700 l. a Week, arising out of the Hereditary and Temporary Excise in England, at 15 Years 3 Months Purchase, comes to | 103730 10 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|

4582 *l. per Ann.* contributed out of the Excise in Scotland, towards payment of Annuities, amounting to 132433 *l. per Annum*, charg'd on 9 *d. per Barrel*, Excise in England, whereof 124866 *l. per Annum*, is for the Remainder of a Term of 99 Years, commencing the 25th January, 1692, and 7567 *l. per Annum*, for Lives, with the Advantage of Survivorship; so that 4415 *l.* of the 4682 *l. per Annum*, will be for the Remainder of the said Term of 99 Years, and 267 *l.* thereof for Lives, with the Advantage of Survivorship; and so much thereof for Lives, with the Advantage of Survivorship; and so much thereof as is for the Remainder of a Term of 99 Years, being Rated at 15 Years and 3 Months Purchase, comes to 67328 *l.* 15 *s.* and the Remainder being deem'd of equal Value with a Term of 30 Years, comes to 3675 *l.* in the whole.

71003 15

|                                                                                                                                                                                                                                                                                                                                             |                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 4860 <i>l. per An.</i> contributed out of the Excise in Scotland, towards payment of 137460 <i>l. per Ann.</i> charg'd on another                                                                                                                                                                                                           |                   |
| " 9 <i>d. per</i> Barrel Excise in England, part in Perpetuity, part for 99 Years, part for 3 Lives, and part for 2 Lives, whereof 35361 of the said 4860 <i>l. per Annum</i> will be in Perpetuity                                                                                                                                         |                   |
| 542 <i>l.</i> for 99 Years, 74 <i>l.</i> for 3 Lives, and 708 <i>l.</i> for 2 Lives, so much as is in Perpetuity and for 99 Years, being Rated at 15 Years and 3 Months Purchase, and so much as is for 3 Lives being Rated at 12 Years Purchase, and so much as is for 2 Lives at 11 Years Purchase, amount in the whole at those Rates to | 70865 : 10        |
| 3699 <i>l. per Ann.</i> contributed out of the Excise in Scotland, for payment of Annuities charg'd on another 9 <i>d. per</i> Barrel Excise in England, for 99 Years, at 15 Years and three Months Purchase, comes to                                                                                                                      | 56409 : 15        |
| 893 <i>l. per Ann.</i> contributed out of the Excise in Scotland, for 3 Years and 3 Months, commencing the 25th March 1707, applicable as the Duty on Low Wines in England, for that time, is computed to be worth                                                                                                                          | 2597              |
|                                                                                                                                                                                                                                                                                                                                             | <hr/> 304606 : 10 |

*If the Customs of Scotland, now Lett at 30000 l. per Annum, according to the Stating of the Equivalent, does contribute Annually, viz.*

|         |   |                                        |       |
|---------|---|----------------------------------------|-------|
| Towards | { | Payment of the Debts of <i>England</i> | 23761 |
|         |   | Civil List                             | 5669  |
|         |   | The General Expence or Charge          | 570   |
|         |   | of the Nation                          |       |
|         |   |                                        | <hr/> |
|         |   |                                        | 30000 |

*Every 1000 l. Encrease on the said Customs will contribute to the aforesaid Services, viz.*

|         |   |                                        |       |
|---------|---|----------------------------------------|-------|
| Towards | { | Payment of the Debts of <i>England</i> | 792   |
|         |   | Civil List                             | 189   |
|         |   | The General Expence or Charge          | 19    |
|         |   | of Nation                              |       |
|         |   |                                        | <hr/> |
|         |   |                                        | 1000  |
|         |   |                                        | <hr/> |

*If the Excise of Scotland, now Let at 33500 l. per Ann. according to the stating of the Equivalent, does contribute Annually, viz.*

|         |   |                                        |        |
|---------|---|----------------------------------------|--------|
| Towards | { | Payment of the Debts of <i>England</i> | 20936  |
|         |   | Civil List                             | 9539   |
|         |   | The General Expence or Charge          | } 3025 |
|         |   | of the Nation                          |        |
|         |   |                                        | <hr/>  |
|         |   |                                        | 33500  |
|         |   |                                        | <hr/>  |

*Every 1000 l. Increase on the said Excise, will contribute to the aforesaid Services, viz.*

|         |   |                                        |       |
|---------|---|----------------------------------------|-------|
| Towards | { | Payment of the Debts of <i>England</i> | 625   |
|         |   | Civil List                             | 285   |
|         |   | The General Expence or Charge          | 90    |
|         |   | of the Nation                          |       |
|         |   |                                        | <hr/> |
|         |   |                                        | 1000  |

In pursuance of the Order of the Lords Commissioners of both Kingdoms, on the 22d Instant, for Signing the Books of Journals, the same are accordingly Sign'd this 25th Day of July, 1706.  
By us

*David Nairne.      Geo. Dodington.*

### Numb. V.

*The Lord Beilhaven's Speech in the Scotch Parliament, on Saturday the Second of November, upon the Subject-matter of an UNION betwixt the two Kingdoms of Scotland and England,*

*My Lord Chancellor,*

“ WHEN I consider this Affair of an UNION betwixt the Two Nations, as it is express'd in the several Articles thereof, and now the subject of our Deliberation at this time; I find my Mind crowded with variety of very melancholly Thoughts, and I think it my Duty to disburden my self of some of them by laying them before, and exposing them to the serious Consideration of this Honourable House.  
“ I think I see a *Free and Independent Kingdom* delivering up That, which all the World hath been fighting for, since the days of *Nimrod*; yea, that for which most of all the Empires, Kingdoms, States, Prin-



'Principallities and Dukedoms of Europe, are at this very time engaged in the most Bloody and Cruel Wars that ever were; so wit, A Power to manage their own Affairs by themselves, without the Assistance and Counsel of any other.

'I think, I see a *National Church*, founded upon a Rock, secured by a *Claim of Right*, hedged and fenced about by the strictest and pointd<sup>t</sup> Legal Sanction that Sovereignty could contrive; voluntarily descending into a Plain; upon an equal level with *Jews, Papists, Socinians, Arminians, Anabaptists*, and other *Sectarics, &c.*

'I think, I see the *Noble and Honourable Peerage of Scotland*, whose valiant Predecessors led Armies against their Enemies upon their own proper Charges and Expences, now divested of their Followers and Vassalages, and put upon such an equal Foot with their Vassals, that I think I see a petty *English Exciseman* receive more Homage and Respect, than whaz was paid formerly to their *quondam Mackallamors.*

'I think I see the *present Peers of Scotland*, whose Noble Ancestors conquered Provinces, over run Countries, reduced and subjected Towns and fortify'd Places, exacted Tributes through the greatest part of *England*, now walking in the Court of Requests, like so many *English Attornies*, laying aside their walking Swords when in Company with the *English Peers*, lest their Self-defence should be found Murder.

'I think I see the *Honourable Estate of Barons*, the bold Asserters of the Nation's Rights and Liberties in the worst of Times, now setting a Watch upon their Lips, and a Guard upon their Tongues, lest they be found guilty of *Scandalum Magnatum.*

'I think I see the *Royal State of Burrows*, walking their desolate Streets, hanging down their Heads under Disappointments; wormed out of all the Branches of their old Trade, uncertain what hand to turn to, necessitate to become Prentices to their unkind Neighbours; and yet after all, finding their Trade so fortifi'd by Companies, and secured by Prescriptions, that they despair of any Success therein.

'I think I see our *Learned Judges* laying aside their Practises and Decisions, studying the Common

‘ *Law of England*, gravelled with *Cartietaries*, *Nisi prius*’s, Writs of Error, Verdicts *indoor*, *Ejectione firme*, Injunctions, Demurrs, &c. and frighted with Appeals and Avocations, because of the new Regulations and Rectifications they may meet with.

‘ I think I see the *Valiant and Gallant Soldiery* either sent to learn the Plantation-Trade abroad; or at home petitioning for a small Subsistence, as the Reward of their Honourable Exploits, while their old Corps are broken, the common Soldiers left to beg, and the youngest *English* Corps kept standing.

‘ I think I see the *Honest Industrious Tradesman* loaded with new Taxes, and Impositions, disappointed of the Equivalents, drinking Water in place of Ale, eating his saltless Pottage, petitioning for Encouragement to his Manufactories, and answered by counter Petitions.

‘ In short, I think I see the *Laborious Ploughman*, with his Corn spoiling upon his Hands, for want of Sale, cursing the day of his Birth, dreading the Expence of his Burial, and uncertain whether to marry, or do worse.

‘ I think I see the incurable Difficulties of the *Landed Men*, fettered under the Golden Chain of Equivalents, their pretty Daughters petitioning for want of Husbands, and their Sons for want of Employments.

‘ I think I see our *Mariners* delivering up their Ships to their *Dutch* Partners; and what thro’ Presses and Necessity, earning their Bread as Underlings in the *Royal English* Navy.

‘ But above all, *My Lord*, I think I see our *Ancient Mother CALEDONIA*, like *Cæsar*, sitting in the midst of our Senate, rufully looking round about her, covering her self with her Royal Garment, attending the Fatal Blow, and breathing out her last with a *Et tu quoque mi fili*.

‘ Are not these, *My Lord*, very afflicting Thoughts? And yet they are the least part suggested to me by these dishonourable Articles. Should not the Considerations of these things vivifie these *dry Bones* of ours? Should not the Memory of our Noble Predecessors *Valour and Constancy* rouse up our drooping Spirits? Are our Noble Predecessors Souls got so far into the *English Cabbage-Stock and Colliflowers*, that

that we should shew the least Inclination that way? Are our Eyes so Blinded? Are our Ears so Deafened? Are our Hearts so Hardned? Are our Tongues so Faltered? Are our Hands so Fettered, that in this our day, I say, *My Lord, That in this our day, that we should not mind the things that concern the very Being and Well-being of our Ancient Kingdom, before the day be hid from our Eyes.*

No, *My Lord, GOD forbid; Man's Extremity is GOD's Opportunity: He is a present Help in time of need, and a Deliverer, and that right early.* Some unfortseen Providence will fall out, that may cast the Ballance; some *Joseph* or other will say, *Why do ye strive together, since you are Brethren?* None can destroy *Scotland*, save *Scotland's* self; hold your Hands from the Pen, you are secure. Some *Juda* or other will say, *Let not our Hands be upon the Lad, he is our Brother.* There will be a *JEHOVAH JIREH*, and some *Ram* will be caught in the Thicket, when the bloody Knife is at our Mother's Throat: Let us up then, *My Lord*, and let our Noble Patriots behave themselves like Men, and we know not how soon a Blessing may come.

*My Lord*, I wish from my Heart, that this my Vision prove not as true, as my Reasons for it are probable; I design nor at this time to enter into the Merits of any one particular Article; I intend this Discourse, as an introduction to what I may afterwards say upon the whole Debate, as it falls in before this Honourable House; and therefore, in the farther Prosecution of what I have to say, I shall insist upon some few Particulars, very necessary to be understood, before we enter unto the Detail of so important a Matter.

I shall therefore, in the first place, endeavour to encourage a free and full Deliberation, without Animosities and Heats: In the next place, I shall endeavour to make an Enquiry into the Nature and Source of the Unnatural and Dangerous Divisions that are now on foot within this Isle, with some Motives shewing that it is our Interest to lay them aside at this time: Then I shall enquire into the Reasons which have induced the two Nations to enter into a Treaty of Union at this time, with some Considerations and Meditations, with Relation to the Behaviour

‘haviour of the Lords Commissioners of the two Kingdoms, in the Management of this great Concern. And lastly, I shall propose a Method, by which we shall most distinctly, and without Confusion, go through the several Articles of this Treaty, without unnecessary Repetitions, or loss of time. And all this with all Deference, and under the Correction of this Honourable House.

‘*My Lord Chancellor*, the greatest Honour that was done unto a *Roman*, was to allow him the Glory of a Triumph; the greatest and most dishonourable Punishment, was that of *Paricide*: He that was guilty of *Paricide*, was beaten with Rods upon his naked Body, till the Blood gull’d out of all the Veins of his Body; than he was sow’d up in a Leathern Sack, call’d a *Culeus*, with a Cock, a Viper, and an Ape, and thrown headlong into the Sea.

‘*My Lord*, *Paricide* is a greater Crime than *Paricide* all the World over.

‘In a Triumph, *my Lord*, when the Conqueror was riding in his Triumphal Chariot, crown’d with Lawrels, adorned with Trophies, and applauded with Huzza’s, there was a *Monitor* appointed to stand behind him, to warn him, Not to be high-minded, nor puffed up with overweening Thoughts of himself; and to his Chariot were tied a Whip and a Bell, to mind him, that for all his Glory and Grandeur, he was accountable to the People for his Administration, and would be punished as other Men, if found guilty.

‘The greatest Honour among us, *My Lord*, is to represent the Sovereign’s Sacred Person in Parliament; and in one particular it appears to be greater than that of a Triumph; because the whole Legislative Power seems to be wholly trusted with him: If he give the Royal Assent to an Act of the Estates, it becomes a Law obligatory upon the Subject, tho’ contrary, or without any Instructions from the Sovereign: If he refuse the Royal Assent to a Vote in Parliament, it cannot be a Law, tho’ he has the Sovereign’s particular and positive Instructions for it.

‘His Grace the Duke of *Queensberry*, who now represents Her Majesty in this Session of Parliament, hath had the Honour of that Great Trust, as often, if not more, than any *Scott* Man ever had: He

hath been the Favourite of two Successive Sovereigns, and I cannot but commend his Constancy and Perseverance, that notwithstanding his former Difficulties and unsuccessful Attempts, and maugre some other Specialities not yet determined, that his Grace has yet had the Resolution to undertake the most unpopular Measures last. If his Grace succeed in this Affair of an Union, and that it prove for the Happiness and Wellfare of the Nation, than he justly merits to have a Statue of Gold erected for himself; but if it shall tend to the intire Destruction and Abolition of our Nation; and that we the Nations Trustees shall go into it; then I must say, That a Whip and a Bell, a Cock, a Viper, and an Ape, are too small Punishments for any such bold unnatural Undertaking and Complaisance.

That I may pave a way, *My Lord*, to a full, calm, and free reasoning upon this Affair, which is of the last Consequence unto this Nation; I shall mind this Honourable House, that, we are the Successors of our Noble Predecessors, who founded our Monarchy, framed our Laws, amended, altered, and corrected them from time to time, as the Affairs and Circumstances of the Nation did require, without the Assistance or Advice of any Foreign Power or Potentate, and who, during the time of 2000 years, have handed them down to us a free Independent Nation, with the hazard of their Lives and Fortunes: Shall not we then argue for that, which our Progenitors have purchased for us at so dear a Rate, and with so much Immortal Honour and Glory; GOD forbid. Shall the Hazard of Father unbind the Ligaments of a dumb Son's Tongue; and shall we hold our Peace, when our *Patria* is in danger? I speak this, *My Lord*, that I may encourage every individual Member of this House, to speak their Mind freely. There are many wise and prudent Men amongst us, who think it not worth their while to open [their Mouths; there are others, who can speak very well, and to good purpose, who shelter themselves under the shameful Cloak of Silence, from a fear of the Frowns of great Men and Parties. I have observed, *My Lord*, by my Experience, the greatest number of Speakers in the most trivial Affairs; and it will always prove so, while we come

not to the right understanding of our Oath *de Fidelis*, whereby we are bound not only to give our Vote, but our faithful Advice in Parliament, as we should *Answer to GOD*; and in our Ancient Laws, the Representatives of the Honourable Barons, and the Royal Burrows, are termed Spokesmen. It lyes upon your Lordships therefore particularly to take notice of such, whose Modesty makes them bashful to speak, Therefore I shall leave it upon you, and conclude this Point with a very memorable Saying of an honest private Gentleman to a great *Queen*, upon occasion of a State Project, contrived by an able Statesman, and the Favourite to a great *King*, against a peaceable obedient People, because of the Diversity of their Laws and Constitutions. *If at this time thou hold thy Peace, Salvation shall come to the People from another Place, but thou and thy House shall perish.* I leave the Application to each particular Member of this House.

*My Lord*, I come now to consider our *Divisions*. We are under the happy Reign (blessed be *GOD*) of the *best of Queens*, who has no evil Design against the meanest of her Subjects, who loves all her People, and is equally beloved by them again; and yet that under the happy Influence of our most Excellent *Queen* there should be such Divisions and Factions, more dangerous and threatening to her Dominions, than if we were under an Arbitrary Government, is most strange and unaccountable. Under an Arbitrary Prince, all are willing to serve, because all are under a necessity to obey, whether they will or not. He chuses therefore whom he will, without respect to either Parties or Factions; and if he think fit to take the Advices of his Councils or Parliaments, every Man speaks his Mind freely, and the Prince receives the faithful Advice of his People without the mixture of Self-designs: If he prove a good Prince, the Government is easy; if bad, either Death, or a Revolution, brings a Deliverance. Whereas here, *My Lord*, there appears no end of our Misery, if not prevented in time; Factions are now become Independent, and have got footing in Councils, in Parliaments, in Treaties, in Armies, in Incorporations, in Families, among Kindred, yea, Man and Wife are not free from their political Jarra.

‘ It remains therefore, *my Lord*, that I enquire into the Nature of these things, and since the Names give us not the right *idea* of the thing, I am afraid I shall have Difficulty to make my self well understood.

‘ The Names generally used to denote the Factions are *Whig* and *Tory*, as obscure as that of *Guelphs* and *Gibelins*: Yea, *my Lord*, they have different Significations, as they are applied to Factions in each Kingdom; a *Whig* in *England* is a Heterogeneous Creature, in *Scotland* he is all of a piece; a *Tory* in *England* is all of a piece, and a *Statesman* in *Scotland*, he is quite otherways, an Anti-Courtier and an Anti-Statesman.

‘ A *Whig* in *England* appears to be somewhat like *Nebuchadnezzar’s* Image of different Metals, different Classes, different Principles, and different Designs; yet take them altogether, they are like a Piece of fine mixed Drugget of different Threads, some finer, some coarser, which after all make a comely Appearance, and an agreeable Suit. *Tory* is like a piece of Loyal made *English* Cloth, the true Staple of the Nation, all of a Thread; yet if we look narrowly into it we shall perceive diversity of Colours, which according to the variout Situations and Positions makes various Appearances: Sometimes *Tory* is like the Moon in its full, as appeared in the Affair of the *Bill of the Occasional Conformity*; upon other Occasions it appears to be under a Cloud, and as if it were eclipsed by a greater Body, as it did in the Design of calling over the Illustrious Prince *Sophia*. However, by this we may see, their Designs are to out-shoot *Whig* in his own Bow.

‘ *Whig* in *Scotland* is a true blue Presbyterian, who, without considering Time or Power, will venture their All for the Kirk: But something less for the State. The greatest Difficulty is, how to describe a Scots *Tory*: Of old, when I knew them first, *Tory* was an honest-hearted Comradish Fellow, who, provided he was maintain’d and protected in his Benefices, Title and Dignities by the State, he was the less anxious who had the Government and Management of the Church: But now what he is since *Jure Divinity* came in Fashion; and that Christianity, and, by Consequence, Salvation comes to depend

depend upon Episcopal Ordination, I profess I know not what to make of him; only this I must say for him, That he endeavours to do by Opposition, that which his Brother in *England* endeavours by a more prudent and less scrupulous Method.

Now, *my Lord*, from these Divisions, there has got up a kind of *Aristocracy*, something like the famous Triumvirate at *Rome*; they are a kind of Undertakers and pragmatick Statesmen, who finding their Power and Strength great, and answerable to their Designs, will make Bargains withour Gracious Sovereign; they will serve her faithfully, but upon their own Terms; they must have their own Instruments, their own Measures; this Man must be turn'd out, and that Man put in, and then they'll make her the most Glorious Queen in *Europe*.

Where will this end, *My Lord*? Is not her Majesty in Danger by such a Method? Is not the Monarchy in Danger? Is not the Nations Peace and Tranquility in Danger? Will a Change of Parties make the Nation more happy? No, *my Lord*, the Seed is sown, that is like to afford us a perpetual Increase; it's not an Annual Herb, it takes deep root, it feeds and breeds; and if not timely prevented by her Majesty's Royal Endeavours, will split the whole Island in two.

*My Lord*, I think, considering our present Circumstances at this time, the Almighty GOD has reserv'd this Great Work for us. We may bruise this *Hydra* of Division, and crush this *Cockatrice's* Egg. Our Neighbours in *England*, are not yet fitted for any such thing; they are not under the afflicting Hand of Providence, as we are; their Circumstances are Great and Glorious, their Treaties are prudently manag'd, both at Home and Abroad, their Generals Brave and Valorous, their Armies Successful and Victorious, their Trophies and Laurels memorable and surprizing; their Enemies subdu'd and routed, their strong Holds besieg'd and taken, Sieges reliev'd, Marshals kill'd and taken Prisoners, Provinces and Kingdoms are the Results of their Victories; their Royal Navy is the Terror of *Europe*, their Trade and Commerce extended through the Universe, incircling the whole habitable World, and rendering their own capital City the *Emporium* for



for the whole Inhabitants of the Earth ; and, which is yet more than all these things, the Subjects freely bestowing their Treasure upon their Sovereign ; and above all, these vast Riches, the Sinews of War, and without which all the glorious Success had proved abortive, these Treasures are manag'd with such Faithfulness and Nicety, that they answer seasonably all their Demands, tho' at never so great a Distance. Upon these Considerations, *my Lord*, how hard and difficult a Thing will it prove, to persuade our Neighbours to a self-denying Bill!

It's quite otherways with us, *my Lord*, we are an obscure poor People, tho' formerly of better Account, removed to a remote Corner of the World, without Name, and without Alliances, our Posts mean and precarious ; so that I profess I don't think any one Post of the Kingdom worth the bringing over, save that of being Commissioner to a long Session of a factious *Scotch* Parliament, with an antedated Commission, and that yet renders the rest of the Ministers more miserable. What hinders us then, *my Lord*, to lay aside our Divisions, to unite cordially and heartily together in our present Circumstances, when our *All is at Stake*? *Hannibal*, *my Lord*, is at our Gates, *Hannibal* is come within our Gates, *Hannibal* is come the length of this Table, he is at the Foot of this Throne ; if we take not Notice, he'll seize upon this *Royal*ia, he'll take them as our *spolia opima*, and whip us out of this House, never to return again.

For the Love of GOD then, *my Lord*, for the Safety and Well-fare of our ancient Kingdom, whose sad Circumstances, I hope, we shall yet convert into Prosperity and Happiness ! We want no Means, if we unite ; GOD bless the Peace-makers ; we want neither Men, nor Sufficiency of all manner of Things necessary, to make a Nation happy ; all depends upon Management, *Concordia res parva crescant*. I fear not those Articles, tho' they were ten times worse than they are, if we once cordially forgive one another, and that according to our Proverb, *Dyogenes be bygonen, and fair Play for time to come*. For my part, in the Sight of GOD, and in the presence of this Honourable House, I heartily forgive every Man, and beg, that they may do the same to me ;

me; and I do most humbly propose, that his Grace, my Lord Commissioner, may appoint an *Agape*, may order a Love Feast for this honourable House, that we may lay aside all Self-designs, and after our Fasts and Humiliations, may have a Day of Rejoicing and Thankfulness, may eat our Meat with Gladness, and our Bread with a merry Heart; then shall we sit each Man under his own Fig-tree, and the Voice of the Turtle shall be heard in our Land, a Bird famous for Constancy and Fidelity.

My Lord, I shall make a Pause here, and stop going on farther in my Discourse, 'till I see farther, if his Grace, my Lord Commissioner, receive any humble Proposals for removing Misunderstandings among us, and putting an End to our fatal Divisions; upon Honour I have no other Design, and I am content to beg the Favour upon my bended Knees.

No Answer!

My Lord Chancellor, I am sorry that I must pursue the Thread of my sad and Melancholy Story: What remains, I am afraid may prove as afflicting as what I have said; I shall therefore consider the Motives which have engag'd the two Nations to enter upon a Treaty of Union at this time. In general, my Lord, I think both of them had in their View, to better themselves by the Treaty; but before I enter upon the particular Motives of each Nation, I must inform this honourable House, that since I can remember, the two Nations have alter'd their Sentiments upon that Affair, even almost to down-right Contradiction, they have chang'd Headbands, as we say; for England, 'till of late, never thought it worth their Pains of treating with us; the good Bargain they made at the Beginning, they resolve to keep, and that which we call an incorporating Union, was not so much as in their Thoughts. The first Notice they seem'd to take of us, was in our Affair of *Caledonia*, when they had most effectually broke off that Design in a manner, very well known to the World, and unnecessary to be repeated here; they kept themselves quiet during the time of our Complaints upon that Head. In which time our Sovereign, to satisfy the Nation, and allay their

‘ their Heats, did condescend to give us some good  
 ‘ Laws, and amongst others, that of personal Liber-  
 ‘ ties; but *England* having declar’d their Succession,  
 ‘ and extended their Inrail, without ever taking No-  
 ‘ tice of us, our Gracious Sovereign Queen ANN  
 ‘ was Graciously pleas’d to give the Royal Assent to  
 ‘ to our *Act of Security*, to that of *Peace and War* af-  
 ‘ ter the Decease of her Majesty, and the Heirs of  
 ‘ her Body, and to give us a Hedge to all our Sacred  
 ‘ and Civil Interests, by declaring it High Treason to  
 ‘ endeavour the Alteration of them, as they were then  
 ‘ establish’d. Thereupon did follow the threatening  
 ‘ and minatory Laws against us by the Parliament of  
 ‘ *England*, and the unjust and unequal Character of  
 ‘ what her Majesty had so Graciously condescended to  
 ‘ in our Favours. Now, *my Lord*, whether the De-  
 ‘ sire they had to have us engag’d in the same Succe-  
 ‘ sion with them? Or whether they found us like a  
 ‘ free and independent People, breathing after more  
 ‘ Liberty than what formerly was look’d after? Or  
 ‘ whether they were afraid of our *Act of Security*, in  
 ‘ case of her Majesty’s Decease? Which of all these  
 ‘ Motives has induc’d them to a Treaty, I leave it to  
 ‘ themselves. This I must say only, they have made  
 ‘ a good Bargain this time also.

‘ For the particular Motives that induc’d us, I think  
 ‘ they are obvious to be known; we found by sad  
 ‘ Experience, that every Man hath advanc’d in Pow-  
 ‘ er and Riches, as they have done in Trade, and at  
 ‘ the same time considering, that no where through  
 ‘ the World, Slaves are found to be rich, tho’ they  
 ‘ should be adorn’d with Chains of Gold; we there-  
 ‘ upon chang’d our Notion of an incorporating Union,  
 ‘ to that of a federal one; and being resolv’d to take  
 ‘ this Opportunity to make Demands upon them, be-  
 ‘ fore we enter into the Succession, we were content  
 ‘ to empower her Majesty to authorize and appoint  
 ‘ Commissioners to treat with the Commissioners of  
 ‘ of *England*, with as ample Powers as the Lords  
 ‘ Commissioners from *England* had from their Con-  
 ‘ stituents, that we might not appear to have less Con-  
 ‘ fidence in her Majesty, nor more narrow-hearted  
 ‘ in our Act than our Neighbours of *England*: And  
 ‘ thereupon last Parliament, after her Majesty’s Gra-  
 ‘ cious Letter was read, desiring us to declare the

“ Succession in the first place, and afterwards to appoint Commissioners to treat, we found it necessary to renew our former *Resolve*, which I shall read to this honourable House.

*Resolve presented by the Duke of Hamilton last Session of Parliament.*

“ That this Parliament will not proceed to the Nomination of a Successor, till we have had a previous Treaty with *England*, in Relation to our Commerce, and other Concerns with that Nation. And farther, it is Resolved, That this Parliament will proceed to make such Limitations and Conditions of Government, for the Rectification of our Constitution, as may secure the Liberty, Religion, and Independency of this Kingdom, before they proceed to the said Nomination.

“ Now, *my Lord*, the last Session of Parliament having, before they would enter upon any Treaty with *England*, by a Vote of the House, pass both an Act for Limitations, and an Act for Rectification of our Constitution, What mortal Man has Reason to doubt the Design of this Treaty was only federal?

“ *My Lord Chancellor*, It remains now, that we consider the Behaviour of the Lords Commissioners at the opening of this Treaty. And before I enter upon that, allow me to make this Meditation, that if our Posterity, after we are all dead and gone, should find themselves under an ill-made Bargain, and shall have a Recourse unto our Records, and see who have been the Managers of that Treaty, by which they have suffer'd so much: When they read the Names, they will certainly conclude, and say, Ah! our Nation has been reduc'd to the last Extremity, at the time of this Treaty; all our great Chieftains, all our great Peers, and considerable Men, who us'd formerly to defend the Rights and Liberties of the Nation, have been all kill'd, and dead in the Bed of Honour, before ever the Nation was necessitate to condescend to such mean and contemptible Terms; Where are the Names of the chief Men, of the noble Families of *Stewarts, Hamiltons, Graham,*

' *Grahams, Campbells, Gordons, Johnstons, Homes, Murrays, Kers, &c?* Where are the two great Officers of the Crown, the *Constables and Marshals of Scotland?* They have certainly all been extinguish'd, and now we are Slaves for ever.

' Whereas the *English* Records will make their Posterity reverence the Memory of the Honourable Names, who have brought under their fierce, War-like, and troublesom Neighbours, who had struggled so long for Independency, shed the best Blood of their Nation, and reduc'd a considerable part of their Country, to become waste and desolate.

' I am inform'd, *my Lord*, that our Commissioners did indeed frankly tell the Lords Commissioners for *England*, That the Inclination of the People of *Scotland* were much alter'd of late, in Relation to an incorporating Union, and that therefore, since the Intail was to end with her Majesty's Life, (whom GOD long preserve) it was proper to begin the Treaty upon the Foot of the Treaty in the 1604th. Year of GOD, the Time when we came first under one Sovereign: But this the *English* Commissioners would not agree to; and our Commissioners, that they might not seem obstinate, were willing to treat and conclude in the Terms laid before this honourable House, and subjected to their Determination.

' If the Lords Commissioners for *England* had been as civil and complaisant, they should certainly have finish'd a federal Treaty likewise, that both Nations might have their Choice, which of them to have gone into, as they thought fit; but they would hear of nothing, but of an intire and compleat Union, a Name which comprehends an Union, either by Incorporation, Surrender, or Conquest; whereas our Commissioners thought of nothing but a fair, equal and incorporating Union. Whether this be so or no, I leave it to every Man's Judgment; but as for my self, I must beg Liberty to think it no such thing: For I take an incorporating Union to be, where there is a Change both in the material and formal Points of Government, as if two pieces of Metal were melted down into one Mass, it can neither be said to retain its former Form or Substance as it did before the Mixture: But now,

when I consider this Treaty, as it hath been explained, and spoke to before us these three Weeks by past, I see the *English* Constitution remaining firm, the same two Houses of Parliament, the same Taxes, the same Customs, the same Excises, the same Trade in Companies, the same Municipal Laws and Courts of Judicature; and all ours either subject to Regulations or Annihilations, only we have the Honour to pay their old Debts, and to have some few Persons present, for Witnesses to the Validity of the Deed when they are pleased to contract more,

Good God! What, is this an intire Surrender?

My Lord, I find my Heart so full of Grief and Indignation, that I must beg Pardon not to finish the last part of my Discourse, that I may drop a Tear, as the Prelude to so sad a Story.

*After having sit down, and some Discourses by other Members intervening, he continued his Discourse thus:*

My Lord Chancellor, What I am now to say, relates to the Method of Proceeding in this weighty Affair: I hear it proposed by a Noble Member of the other side, that we should proceed in the same Order, as the Lords Commissioners Treators did. In my humble Opinion, my Lord, it is neither the natural Method, nor can it be done without great Confusion and Repetition. To say, You'll agree to the Union of the two Kingdoms, before you agree in the Terms upon which they are to be united, seems like *driving the Plough before the Oxen*. The Articles, which narrate the Conditions, seem to be the Premises upon which the Conclusion is inferred; and according as they are found good or bad, the Success will follow. When a Man is married to a Fortune in *England*, as they call it, I suppose he is satisfied with the thing before he determines himself to marry; and the Proposal I have heard of agreeing to the first Article with a *Proviso*, That if the rest of the Articles shall be found satisfactory, and no otherwise, is of a piece with the rest, and looks like beating the Air, and no ways consistent with fair and square Dealings. Besides, my Lord, if we were to go upon the first Article, are not all the rest of the Articles, besides many others not contained in the Articles, valid Arguments either *Pro* or *Con*, against

'concluding or not concluding the first Article? And  
 'no Vote in this House can hinder a Man from ma-  
 'king use of what Arguments he thinks fit. More-  
 'over, the searching the Records, and the revising  
 'the *Statute Books*, comparing the *Books of Rates*,  
 'Customs, Excise, Taxes, of both Nations with one  
 'another, must all be previously consider'd ere' we  
 'determine our selves in one single Article; add to  
 'this, that the prohibitory Clause with relation to the  
 'Trade of both Nations must be adjusted, lest like  
 'Esop's Dog, we lose the old in grasping at the new; the  
 'State of the *English* Companies must also be expos'd  
 'how far we shall have Liberty into them, and what  
 'Advantage we may propose to our selves by tra-  
 'ding to those Places where they are secured; and  
 'above all, *my Lord*; the Security of our National  
 'Church, and of all that's dear unto us. must be pre-  
 'viously established to us, if practicable, before we  
 'conclude the first Article. Therefore, *my Lord*, tho'  
 'my particular Opinion be, tho' we had a *Cart Blanch*  
 'from *England*; yet the delivery up of our Sovereignty,  
 'gives back with one hand, what we receive with the  
 'other; and that there can be no Security without the  
 'Guarantee of a distinct Independency betwixt the  
 'Parties Treating: yet, *my Lord*, for farther Satisfaction  
 'to this Honourable House, that every Member may  
 'fully satisfy himself, I humbly propose, that pas-  
 'sing by the first three Articles, which appear to be  
 'much of a piece, we begin at the fourth Article of  
 'the Treaty; and if I be seconded in this, I desire it  
 'may be put to the Question.

## Numb. VI.

**MANIFESTE** *Adressé aux François, par Nous Richard, Comte de Rivers, Vicomte de Colchester, et de Roc-Sauvage, Lord Darcy et Baron de Chich, Lieutenant de Sa Majesté dans le Comté d'Essex. Custos Rotulorum et Vice-Admiral du dit Comté. General des Troupes d'un Debarquement en France, ordonné par la Reine de la Grande Bretagne, et les Seigneurs Etats Generaux des Provinces Unies.*

**A MANIFESTO** *Adress'd to the French, by Us Richard, Earl Rivers Viscount Colchester and Rock-Sauvage, Lord Darcy, and Baron Chich, Lord Lieutenant of the County of Essex, Custos Rotulorum and Vice-Admiral of the said County, General of the Troops to be Landed in France, by the Order of the Queen of Great Britain, and the Lords the States General of the United Provinces.*

**C**OMME il est de Notoriété publique, que depuis plusieurs années, il a paru dans la Conduite des Conseils de France un Esprit inquiet et ambitieux, qui s'est fait sentir par des Violences les plus outrées contre ses Voisins, sans qu'ils y eussent donné le moindre sujet; Que les Traittés de Paix qui furent jurés de la maniere la plus solemnelle ont été violés, dans le dessein d'usurper une Monarchie Universelle en Europe; et que pour y parvenir, on a cru qu'il falloit se rendre Maître absolu chez soi; ce que malheureusement on a accompli, par le Renversement total des Libertés et des Privilèges de la Nation Françoisse; en supprimant les anciens Droits des Etats Generaux, des Parlemens, et des Cours de Justice; en Abolissant les Immunités des Provinces

**W**HEREAS it is known to every Body, that, for several Years last past, there has appear'd in the Management of the Councils of France, an Ambitious and Restless Spirit, which has manifested it Self by the highest Violences against Her Neighbours, without the least Provocation on their side: That the Treaties of Peace, which had been Sworn in the most solemn manner, have been violated, with Design to Usurp an Universal Monarchy in Europe; and that to compass the same, it was thought necessary that the French King should be absolute Master at Home, which has been unhappily accomplish'd by the Total Overthrow of the Liberties and Privileges of the French Nation; by Suppressing the ancient Rights of the States General, Parliaments, and Courts of Judicature; by Abolishing the Immunities of Provinces, Cities, Towns, Clergy, Princes,



vinces et des Villes, du Clergé, des Princes, de la Noblesse et du Peuple; en Annulant les Edits faits en faveur de la Religion Protestante; en envoyant aux Galères un grand nombre de Personnes innocentes, ou en les mettant dans la dure nécessité d'abandonner la Patrie, & de chercher un Azile ailleurs; et qu'après avoir exercé toutes ces Violences au dedans, on s'est servi des Sujets accablés chez eux, pour porter pareille Désolation dans les Pais voisins: Ces Procédez extraordinaires ont obligé la Reine de la Grande Bretagne, et les Seigneurs Etats Generaux, d'entrer dans des Engagemens avec l'Empereur, et plusieurs autres Princes, pour la Conservation de leurs propres Etats, et pour arrêter les Progrez d'un Puissance si entreprenante et si redoutable.

Ce n'a été que dans cette seule Veuë qu'ils ont commencé cette Guerre, se reposant sur le Secours de la Divine Providence, qui a visiblement prononcé sur la Justice de leur Cause, en benissant leurs Armes avec des Succès si grands et si glorieux, qu'ils ont lieu d'espérer, que la même Providence, pour comble de sa Benediction, leur donnera, avec le temps, une Paix solide et durable.

Or comme les Hants Alliez ne cherchent pas seulement leurs Interests particuliers, mais qu'ils veillent aussi à ceux du Public, et qu'ils souhaitent ardemment que les François, réduits présentement à la dernière Misere, sous un Joug insupportable, ne servent plus dorénavant d'Instrument pour rendre Esclaves tant leurs Compatriotes que leurs voisins; et qu'ils aient Part eux mêmes

Princes, Nobility, and People; by Annulling the Edicts made in favour of the Protestant Religion; by sending to the Gallies a great Number of innocent Persons, or reducing them to the hard Necessity of Abandoning their Country, and seeking Sanctuary elsewhere; And that after having Exercis'd all these Violences at Home, Use has been made of ruin'd Subjects to carry the like Desolation into the Neighbouring Countries: These extraordinary Proceedings have oblig'd the QUEEN of Great Brittain, and the Lords of States General, to enter into Engagements with the Emperor, and several other Princes, for the Preservation of their own Dominions, and Stopping the Progress of so Encroaching, and so Dreadful a Potentate.

It was only upon that Score that they began the present War, relying on the Assistance of Divine Providence, which has visibly own'd the Justice of their Cause, by blessing their Arms with Successes so Great, and so Glorious, that they have reason to hope, that the same Divine Providence, to compleat those Blessings, will give them, in time, a solid and lasting Peace.

Now, because the High Allies do not only seek their private Interest, but are likewise mindful of those of the Publick, and ardently wish that the French, who, at present, are reduced to the Extremest Misery, under an insupportable Yoke, may not henceforward serve as Instruments to enslave both their Country-men and Neighbours; And that they may themselves share the Fruits and Advantages of the sig-

mêmes aux Fruits et aux Avantages des Victoires signalées qui viennent d' être remportées sur un Ennemi commun ; Sa Majesté Britannique, et les Seigneurs Etats Generaux, ont envoyé un Corps considerable de leurs Troupes, & une forte Escadre de Vaisseaux de Guerre, pour leur mettre les Armes à la main, et leur fournir les moyens de faire retablir leurs anciens Privilèges, fondés sur des Droits incontestables.

Nous faisons donc sçavoir, par ces Présentes, que les Hauts Alliez n'ont nul Dessein de faire des Conquêtes, ni des Ravages, mais qu'ils ne songent, au contraire, qu'à employer leurs Forces à proteget ceux de la Nation François qui prendront les Armes pour retablir les Etats Generaux, et les Parlemens de la dite Nation, les Villes et les Provinces, le Clergé, les Princes, la Noblesse, et le Peuple, dans leurs anciens Droits, et de faire jouir ceux de la Religion Reformée des Privilèges stipulés par l'Edit de Nantes.

On ne doute point que les bons François, qui aiment la Patrie, et qui se sont defaits de toutes sortes de Prejugés, ne verront clairement que la Voie dont on se sert presentement, est la seule par où ils puissent recouvrer leur Liberté, faire fleurir le Commerce, et se remettre dans l'Opulence, & la Tranquillité ; car il est constant, que leurs Maux, de quelque nature qu'ils puissent être, viennent tous d'une même Source, à sçavoir, de l'Ambition demesurée, et des mauvais Conseils des Personnes mal-intentionnées.

Pour ces raisons, nous exhortons très-instamment tous ceux qui

*nal Victories lately gain'd over a Common Enemy : Her Britannick Majesty, and the Lords the States General, have sent a considerable Body of their Troops, and a strong Squadron of Ships of War, to put Arms into their Hands, and furnish them with the Means to procure the Restoration of their Ancient Privileges, founded on undisputable Rights.*

*We therefore make known by these Presents, That the High Allies have no manner of Purpose to make Conquests, or commit Devastations ; but, on the contrary, that they design to employ their Forces, only for the Protection of such of the French Nation as shall take up Arms, in order to restore the States General, the Parliaments of the said Nation, the Cities and Provinces, the Clergy, Princes, Nobility and People, to their ancient Rights, and make Those of the Reformed Religion, enjoy the Privileges stipulated by the Edit of Nantz.*

*It is not doubted, but the true French-men, who love their Country, and are free from all manner of Prejudice, will clearly see, that the Method which is now made use of, is the only Means whereby they may recover their Liberty, render their Trade flourishing, become again a wealthy People, and establish their Tranquillity. For it is certain, that their Distempers, of what Nature soever they may be, do all proceed from the same Cause, viz. from the unbounded Ambition, and bad Councils of ill affected Persons.*

*For these Reasons, we most earnestly exhort all those, whose Heart*

qui ont le Cœur véritablement François, et qui fouhaitent de voir delivrer leur Patrie du rude Esclavage dans lequel elle gemit depuis tant d'années, de profiter de l'Occasion qui se presente maintenant, en se joignant aux Troupes des Hauts Alliez ; les assurant de leur entiere Protection, et leur promettant qu'il ne se traittera jamais de Paix Générale, dans laquelle S. M. B. et L. H. P. n'aient un soin tout particulier de leurs Interests.

Toute la Nation Françoisse sera de plus informée, que nous avons donné des Ordres très precis d'avoir autant d'égards pour les Catholiques Romains que pour les Reformés ; et de veiller continuellement à ce qu'il ne soit point fait de Violences ni aux Prêtres, ni aux Curés, ni aux Evêques, ni à aucune sorte d'Ecclesiastiques, soit Regulariers soit Seculiers ; et, sur tout, qu'on ne commette aucune Irreverence contre les Eglises, et contre rien de ce qui regarde le Culte de l'Eglise Romaine. Ordonnant enfin que tous les François qui ne s'opposent pas à ces Desseins si justes et si glorieux, soient protégés dans leurs Personnes et dans la Jouissance de tous leurs Droits, tant spirituels que temporels. Fait à Londres le 25 de Juillet. 1706.

Par Ordre de Sa Majesté, et des Seigneurs Etats Generaux des Provinces Unies.

RIVERS.

Heart is truly French, and wish to see their Country deliver'd from the hard Slavery in which it has groan'd for so many Years past, to improve the Opportunity that now offers, by joining themselves with the Troops of the High Allies ; Assuring them of their entire Protection ; and promising them, that no General Peace shall ever be treated, but Her Brittannick Majesty, and their High Mightinesses, shall take most particular Care of their Interests.

Moreover, this is to inform all the French Nation, that We have given most strict Orders, that the same Regard be shewn to the Roman Catholics, as to the Reformed ; and that constant Care be taken that no Violence be offer'd to the Priests, Rectors, Bishops, or to any Ecclesiasticks, either Regular or Secular : And above all, that no Irreverence be committed against the Churches, or any thing belonging to the Worship of the Romish Church. Commanding, in the last Place, that all the French who shall not oppose these just and glorious Designs, be protected both in their Persons, and the Enjoyment of all their Rights either Spiritual or Temporal. Given at London the 25th of July, 1706.

By Order of her Majesty, and of the Lords the States General of the United Provinces.

RIVERS.

Numb.

## Numb. VII.

**MANIFESTE** *Address'd aux FRANCOIS: Par Nous ANTOINE Marquis de GUISCARD, Comte de la Bourlie et de Neuvi sur Loire, &c. Colonel d'un Regiment de Dragons, Lieutenant General des Armes de Leurs Majestez Imperiales & Britanniques.*

**A MANIFESTO** *Address'd to the FRENCH, By Us ANTHONY Marquis de GUISCARD, Count of Labourlie and Neuvi upon Loire, &c. Colonel of a Regiment of Dragoons, and Lieutenant General of their Imperial and Britannick Majesties Armies.*

**V**OUS ne sçauriez, chers Compatriotes, vous empêcher de reconnoître, que l'inquiète et demesurée Ambition de votre injuste Roy, après vous avoir premierement plongez dans un cruel Esclavage, n'a point discontinué depuis d'attenter sur la Liberté de tous les Princes de l'Europe, & de les tenir dans la triste Situation de se voir tous les jours à la veille de succomber sous sa Puissance. Je ne doute pas que vous ne conveniez aussi, que si sa Majesté la Reine de la Grande Bretagne, et les Seigneurs Etats Generaux, ne s'étoient, en dernier lieu, chargez de la Conduite et du Faix de cette onereuse Guerre, il y auroit long tems que l'Europe entière auroit subi le dur joug de son redoutable Gouvernement: Ce qui devenoit pour vous le dernier Seau de votre éternelle Servitude. Mais quand aujourd'hui le Ciel vous a bien voulu preserver d'une telle Disgrace, en couronnant la Constance et les Travaux de sa Majesté Britannique et de leurs Hautes Puissances, par deux des plus decisives et des plus memorables Victoires qu'on ait jamais remportées, à quels Transports de Reconnoissance et de Joye ne devez

**Y**OU cannot, Dear Countrymen, but acknowledge, That the Restless and Unbounded Ambition of your Unjust King, after having first sunk you into a Cruel Slavery, has not, ever since, discontinued Encroaching upon the Liberties of all the Princes of Europe, keeping them still under the sad Apprehensions of being over-whelm'd with his Power. Nor do I doubt, but you will agree with me, that if her Majesty, the Queen of Great Britain, and their High Mightinesses the States General, had not, of late, taken upon 'em the Conduct and Weight of this expensive War, all Europe had, long before 'now, undergone the Toak of his dreadful Government: Which, to you, would have proved the indissoluble Knot of your everlasting Servitude. But, as present, when Heaven has vouchsafed to preserve you from such a Disgrace, by Crowning the Constancy and Labours of Her Britannick Majesty and their High Mightinesses, by two of the most Decisive and Memorable Victories that were ever gain'd, to what Transports of Thankfulness and Joy ought you not to abandon your selves, when you shall learn, That those two Powers, instead of Indulging the Ambitious Thoughts, which so favourable a Conjunction might

devez vous point vous abandonner ! lors que vous apprendrez que ces deux Puissances, loin de se laisser emporter aux Pensées ambitieuses, qu'une si favorable Conjoncture sembleroit devoir leur inspirer, veulent bien, par une Modération tout à fait héroïque et sans exemple, étouffer leurs plus justes Ressentimens contre vous, et preferer à leurs veritables Interêts le genereux dessein de compatir à vos propres Malheurs, en vous offrant les Moyens de sortir de la honteuse Servitude dans laquelle ils savent que vous gemissez depuis long tems.

Je m'empresse donc, chers Compatriotes, de vous informer par ce Manifeste, que vous n'avez rien à craindre de cette nombreuse Armée qui vient tout à coup d'être débarquée sur vos Rivages : Puisque vous pouvez compter, qu'elle n'y paroît qu'après avoir été chargée de la part de sa Majesté, la Reine de la Grande Bretagne, et de la Republique des Provinces Unies, d'Ordres precis et rigoureux de n'y faire aucune sorte d'Hostilité ; d'y vivre dans la plus severe et la plus exacte Discipline ; de n'y parler que de Paix et de Liberté ; d'y proteger le Clergé, la Noblesse, et le Peuple ; d'y retablir l'ancienne Forme du Gouvernement de la Monarchie ; d'y restreindre dans des justes Bornes cette Autorité immense et arbitraire que Louis Quatorze s'est si violemment arrogée sur ses Peuples ; et enfin, de faire en sorte que les Parlements, les Cours Souveraines, et tous les Ordres du Royaume y soient retablis dans leur premier Eclat, dans l'Exercice de leurs legitimes Fonctions ; et dans

*might seem to inspire 'em with, are willing, through a Moderation truly Heroical and Unexampled, to stifle their most just Resentments against you, and to prefer before their true Interests, the Generous Design of having a Fellow-Feeling in your own Misfortunes, and of offering you the Means to free your selves from the Shameful Slavery, under which, they know, you have groan'd a long time ?*

*I therefore hasten, Dear Countrymen, to inform You by this Manifesto, That You ought not to entertain any Fears from the numerous Forces, which were, on a sudden, landed on your Shore : Since You may depend upon it, That before they came hither, they receiv'd positive and strict Orders from Her Majesty the Queen of Great Britain, and the Commonwealth of the United Provinces, not to commit here any Hostilities, but to live under the most severe and exact Discipline ; To speak of nothing but Peace and Liberty ; To protect the Clergy, Nobility and People ; To restore the Ancient Form of the Government of this Monarchy ; To restrain within just Bounds, the Exorbitant and Arbitrary Authority which Lewis XIV. has, in a violent Manner, Usurp'd over his People ; And, lastly, to endeavour the Restoration of the Parliaments, High-Courts of Judicature, and all the States of the Kingdom, to their Ancient Splendor, the Exercise of their lawful Functions, and all their Noble and Illustrious Prerogatives. Moreover, Her Britannick Majesty, and their High*



dans toutes leurs Nobles & Illustres Prerogatives. S. M. B. et L. H. P. ordonnent de plus, d'assurer de leur Puissante Protection, toutes les Communautés, les Villes, et les Provinces qui voudront entrer dans leur genereux Projet; et qu'il ne se fera jamais de Paix qu'on n'y aye autant d'Egard à leur Seureté, et à leurs Interêts, qu'à ceux même des plus considerables Membres de la Ligue.

Vous donc, en qui se peuvent être conservez quelques uns des Sentimens d'Honneur et de Liberté, qui faisoient n'agueres le plus beau Caractere de la Nation; genereux François! accourez de toutes Parts, et ne balancez pas un Instant à profiter de la Faveur d'une si magnanime Resolution. Gardez vous bien, sur tout, qu'un Reste de Fierté mal-entenduë ne vous en aille détourner à contretiens; Puisqu'avec la même Sincerité, que la Ligue veut bien convenir que vous avez triomphé d'Elle pendant près de quarante Ans, vous devez romber d'accord que vous n'êtes plus désormais en Etat de lui resister.

Un Tiers de votre Nation de longue main cruellement dispersé ou egorgé par les Ordres de votre propre Roy; Vos Finances épuisées; Vos Provinces desertées; Vos Armées composées de foibles Enfans ou de Vieillards inhumainement arrachez d'entre les bras de leurs Familles; Vos meilleures Troupes Prisonnières ou détruites, et ce qui vous en reste consterné, abbatu, plein d'Epouvante et d'Effroy: Voilà le déplorable Etat dans lequel votre Prince vous a reduits, et le peu de Ressources qui vous restent. Croyez qu'une plus longue

High Mightinesses have Ordered, that Assurances of their Mighty Protection should be given to all the Corporations, Towns, Cities and Provinces, who shall be willing to concur with their Generous Project; and, that no Peace shall ever be made, but as much Regard shall be had to their Security and Interests, as to those of the most considerable Members of the Grand Alliance.

You, therefore, in whom some of those Sentiments of Honour and Liberty, which not long since were the fairest Character of the Nation, Generous French-Men, repair to us, with all speed, from all Parts, and be not one Moment in suspense, in improving the Favour of so magnanimous a Resolution. Beware, above all Things, that some Remains of ill-timed Pride, do not preposterously divert You from it: Since with the same Sincerity as the Allies are willing to own, that You have triumphed over Them for near Forty Years, You ought to acknowledge that you are no longer in a condition to resist Them.

A third part of your Nation, long before now, either cruelly Dispers'd, or Butcher'd, by the Orders of your own King; Your Finances exhausted; Your Provinces Desolate; Your Armies compos'd of feeble Youths, or Old Men, inhumanly wrested from the Arms of their Families; Your best Troops Prisoners, or destroy'd; And the Remainder Dejected, Spiritless, and under the greatest Consternation: This is the deplorable Condition in which your Prince has reduced You, and the only Resource you have left. Be perswaded, that a longer Obstinacy, on your side, in main-

longue Obstination de vôtre part à soutenir cette Guerre injuste, ne peut servir dorénavant qu' à achever de vous perdre tout à fait. Declarez vous donc hautement, sans redouter la rigueur des Supplices et des Violences que l'on a jusqu'icy cruellement exercées sur vous, et dont on sçaura bien dans la suite vous mettre tout à fait à couvert. Enfin par votre Promtitude à nous joindre, effacez l'injurieuse Opinion qu'on commençoit à concevoir de vous, en vous regardant comme des Hommes véritablement nez pour la Servitude. Ce n' est même que par cette sorte de Justification, que vous pouvez vous laver du Reproche de cette indigne et basse Submission dans laquelle vous venez de vivre si long tems. Au reste, ne vous desiez ni de Nous ni de nos Forces, ni qu' on en veuille à vôtre Liberté sous le specieux Pretexte de la retablir. S. M. B. et L. H. P. n' ont, et ne veulent avoir, pour Sujets que des Hommes entierement libres, et de plus ils se sont toujours montrez fort éloignez d' avoir, comme Louis Quatorze, l' injuste Manie d' étendre leur Domination. Quelle plus grande Preuve en voudriez vous que celle de voir qu' ils preferent, dans le Sein même de la Victoire, le Plaisir de tenter de vous gagner pour Alliez, à la Gloire de continuer de vous vaincre comme Ennemis? Mais d' ailleurs, pouvez vous ne pas sentir la Liaison naturelle qui se trouve entre le Retablissement de vôtre Liberté et le Maintien de celle de l'Europe? N'y a t' il pas entre vous et la Ligue un Interet commun de detruire ce Pouvoir arbitraire de Louis Quatorze, dont l'Europe et la France ont

*taining this Unjust War, can have no other Issue than your irrecusable Ruin : Declare your Selves therefore openly, and dread not the Rigour of the Punishments and Violences which hitherto have been cruelly exercised against You, and against which you shall, for the future, be entirely secured by Our Means. Lastly, by your Readiness to join Us, remove the injurious Opinion which People began to entertain of You, by looking upon you as Men born only to be Slaves ; neither is there any Way, but this sort of Justification, whereby You can wipe off the Reproach of that unworthy and base Submission wherein you have Liv'd so long. As for the rest, be not diffident, or mistrustful, either of Us, or Our Forces, as if We had a Design upon your Liberty, under the specious Pretence of Restoring it. Her Britannick Majesty, and their High Mightinesses, have, and will have, no other Subjects, but Men entirely free ; and besides, they have ever shewn themselves very far from having, as Lewis the XIVth. the unjust Insatiation to extend their Dominions. What more pregnant Proof could You desire of it than to see, that even in the Height of Victory, they prefer the Pleasure of Endeavouring to gain You as Allies, before the Glory of overcoming You still as Enemies ? But besides, can You be unsensible of the natural Connexion which is between the Restoration of your Liberty, and the Asserting of that of Europe ? Are not You, and the Confederates, equally concern'd, to destroy that Arbitrary Power of Lewis the XIVth. from which Europe and France have already so much suffer'd, and from which, in all probability, they wou'd almost suffer as much for the future.*

ont déjà tant souffert, et dont vraisemblablement ils auroient presque autant à souffrir dans la suite, si l'on le laissoit subsister davantage? Vous voyez donc, que quand même vous pourriez refuser de mettre toute votre Confiance en la Generosité de S. M. B. et de L. H. P. leur propre Intérêt, qui se trouve ici joint au vôtre, devoit entièrement vous répondre de la Sincérité de la Protection qu'ils vous offrent. Mais c'est trop apporter de Raisons où il n'y a point de Choix à faire. Vous gemissez dans les Fers d'un cruel Esclavage; on vous presente les Moyens d'en sortir sans Risque; quel autre Parti auriez vous à prendre? Pouvez vous raisonnablement esperer d'être aussi souvent en Situation de vous tirer d'Oppression, qu'on sera dans le Pouvoir de vous y retenir? Profitez donc d'une si precieuse et si favorable Conjoncture. Toutes les Legions Françoises, uniques Suppôts de la Tyrannie, sont suffisamment occupées à se defendre sur vos Frontieres; vous n'avez rien à en redouter. Remarquez la Difference que S. M. B. et L. H. P. mettent entre votre Innocence, et leur Prevarication! On ne cherche qu'à les détruire, dans le moment même qu'on ne travaille qu'à vous sauver. La Ruïne ou le Salut de la Nation, sont en vos mains, et dependent de la Durées ou de l'Abolition de l'Autorité arbitraire de Louis Quatorze. Qui ne scait que ce Prince, jouissant de cent quatre vingts Millions de Revenu, pour satis faire aux Excès d'un Luxe et d'une Ambition sans Bornes, s'est encore endetté de plus de cent Millions de Rente au delà; en

forte

if it shou'd be permitted to subsist any longer? You see, therefore, that though you might refuse to put an entire Confidence in the Generosity of Her Britannick Majesty, and their High Mightinesses, their own Interest, which, on this Occasion, is join'd with Yours, leaves You no room to doubt the Sincerity of the Protection which they offer You. But 'tis too much Arguing, where there is no Choice to be made. You groan in the Fetters of a cruel Slavery; We offer You the Means to break 'em without Danger; What other Course could you take? Can You reasonably hope to meet as often with Opportunities to free your Selves from Oppression, as your Prince shall have Power to keep You in it? Improve therefore so precious, and so favourable, a Conjunction. All the French Legions, they only Support of Tyranny, are sufficiently Employ'd in defending themselves on your Frontiers, so that you ought to fear nothing from them. Mark the Difference which Her Britannick Majesty, and their High Mightinesses, make between your Innocence, and their Prevarication; They seek only to destroy 'em, at the same time that they endeavour to save you. The Ruin, or Safety, of your Nation are in your Hands, and depend on the Continuance, or Destruction, of Lewis the 14th's Arbitrary Power and Authority. Who knows not that that Prince, who enjoy'd a Revenue of One Hundred and Fourscore Millions of Livres, to gratifie the Excesses of unbounded Luxury and Ambition; has, besides, contracted a Debt of above One Hundred Millions of Livres per Annum: So that he alone owes, at present, more Yearly Interest-Money, than the Revenues of two of the most powerful



forte qu'il se trouve devoir aujourd'hui, luy seul, beaucoup plus d'Intérêts par An, que deux des plus puissans Potentats de l'Univers n'ont ensemble de Revenus. Que de Creations de Charges inutiles ! Que d'Augmentations de Gages forcées ! Que de Domaines alienez ! Que de nouveaux Droits inventez et vendus ! Un Triers du total de l'Argent de la Nation sorti du Royaume, et remplacé par une tyrannique et inouïe Invention de Pièces de Monnoye de Papier ; qui va, si vous n'y prenez garde, changer, avant qu'il soit un An ou deux, toutes vos véritables Richesses en de feintes et de chimeriques Finances. Si le Gouvernement subsiste, par qui seront acquittées toutes ces Dettes ? Vous flatteriez vous assez pour croire que celui qui a eu la Dureté de les contracter de Force, et sans aucun Menagement pour vous, puisse jamais avoir assez de Bonté et de Justice pour les acquitter de bon gré ? Ce que vous pouvez en espérer de mieux, est que dans la Paix il vous surcharge encore de mille Impôts nouveaux, afin de satisfaire dans une première Année, et uniquement pour fasciner les yeux du monde, à une petite partie de ses Créanciers, et faire en suite impunement Banqueroute à tout le reste, comme il a déjà fait autrefois ; et achever par là de ruiner tout d'un coup, et de fond en comble, la Nation entière.

Joignez vous donc avec nous, généreux François ! pour redonner une nouvelle Forme à votre Gouvernement présent : Que ne devez vous point tenter pour établir la libre Tenue des États Généraux, dans lesquels les Intérêts de la Nation soient agitez par

powerful Potentates of the Universe amount to, together. How many Creations of Useless Offices ? How many forc'd Augmentations of Salaries ? How many Crown-Lands alienated ? How many new Impôts invented, and sold ? At least a third part of the Money of the Nation sent out of the Kingdom, and supply'd by a Tyrannical, and unheard of Invention, of Mint-Notes, which, if you don't take care to prevent it, will, in a Year or two, change all your real Riches into airy and chimerical. Finances. If the Government subsists, by whom shall all these Debts be discharg'd ? Can you flatter your selves so far as to believe, that he who was so hard-hearted as to contract the same by Force, and without any Regard to You, shall ever be so good Natur'd, and so Just, as to acquit 'em of his own accord ? The best You can hope for, is, that when there is a Peace, he will still overload You with a Thousand new Taxes, in order to satisfy, in the first Year, and meerly to fascinate the Eyes of the World, a small part of his Creditors, and afterwards impudently turn Bankrupt to all the rest, as he has formerly done, and thereby, at one stroke, compleat the entire Ruin of the whole Nation.

Join your selves therefore with Us, Generous French-men, in order to give a new Form to your present Government : What ought you not to attempt, to restore the free Sitting of the States General, in which the Interest of the Nation may be debated by the Nation itself ? To them, and

par la Nation même ? C'est alors seulement que vous verrez renâître ces heureux Jours où vous jouissiez de mille Douceurs, dans un des plus charmans Climats de l'Univers : C'est alors que reformant ce nombre infini de Troupes, qui ont tenu jusqu'icy vos Voisins & vous dans de continuelles Sollicitudes, vous profiterez, d'une part, des Sommes immenses que leur Entretien coutoit, pour pourvoir à l'Acquit des propres Dettes de votre Roy, tout injustes qu'elles sont, & pour vous payer vous même par un si doux et si innocent Moyen ; & que, de l'autre, vous verrez refleurir votre Commerce, & que vous rentrerez enfin dans une douce et utile Société avec tous les Peuples de la Terre, dont l'injuste Procédé de votre Prince aliène depuis si long tems les Esprits contre vous.

Je ne doute nullement, chers Compatriotes, que Louis Quatorze ne mette d'abord tout en usage pour vous détourner d'accepter un si juste Parti, & que, selon sa Coutume ordinaire, il ne se serve pour cela du specieux et révéré Pretexte de la Religion, parce qu'à la Verité ce sont des Troupes Protestantes qui viennent à votre Secours : Mais nous avons tout lieu d'espérer que vous ne donnerez pas dans un Piège si grossier, quand nous voyons que les Peuples les plus scrupuleux et les plus soumis même au severe et rigoureux Tribunal de l'Inquisition, se sont bien gardez de s'y laisser surprendre. Serait il dit que des François, qui ont vécu pendant un Siècle entier avec les Protestants, de maniere que les Familles des deux Communions s'unissoient par mille Aliances reciproques, fussent moins disposés à recevoir du

*not before then, that You shall see these happy Days, wherein you enjoyed a Thousand Blessings in one of the most charming Climates of the Universe. Then, by Reforming, that infinite number of Troops, which hitherto have kept your Neighbours, and your selves, in continual Alarms, you shall receive this double Profit ; First, That the vast Sums which the Maintenance of those Troops cost, shall go towards the Discharging your King's own Debts, how unjustly soever they be, and towards the paying your selves in so easy, and so innocent, a Way ; and Secondly, That You shall see your Trade flourish again, and shall, by degrees, enter again into a kind and profitable Correspondence with all the People of the Earth, whose Minds, have, so long, been alienated from You, by the unjust Proceedings of your Prince.*

*I doubt not, Dear Country-men, that Lewis XIV. will use, at first, all manner of Means, to divert you from following so just a Course ; and that, according to his Custom, he will make use of the specious, and renowned Pretence of Religion ; because, indeed, these are Protestant Troops who come to your Assistance : But we have all Reason to hope, that you will not be caught in so gross a Snare, when we see that the most scrupulous Nations, and the most subject to the severe and rigorous Tribunal of the Inquisition, were more wise than to suffer themselves to be decoyed into it. Should it be said, that French-men, who for above a whole Century, liv'd with Protestants in such a manner, That the Families of both Persuasions United themselves by a thousand interchangeable Aliances, should be less disposed to receive Assistance from 'em, than Italians, Spaniards and Portuguese, who had never seen Protestants,*

du Secours de leur part, que des Italiens, que des Espagnols, et des Portugais, qui n'avoient jamais veu de Protestants, et qui pourtant les ont receus, et les reçoivent encore tous les jours à bras ouverts, malgré tous les soins que certaines gens se donnent de les peindre à leurs yeux des plus noires couleurs? Cependant, pour empêcher l'Effet d'un si coupable Artifice, S. M. B. et L. H. P. ont jugé à propos de faire déclarer aux Catholiques Romains, que cette Affaire-cy n'est nullement une affaire de Religion; et qu'on n'y a en vue que le Bonheur et la Liberté de la Nation en general: Que tout ce qu'il y a de Religieux, de Pasteurs, & d'Evêques doivent continuer le Service Divin sans crainte qu'il leur y soit apporté aucun Trouble: Que tout ce qui leur pourroit causer le moindre Scandale, soit par Inadvertance ou par Malice, sera d'abord supprimé ou severement puni: Et que pour une plus grande Precaution, contre toute sorte de Desordres là dessus, ils ont bien voulu me charger plus particulièrement de tous les Interêts de la Religion Romaine.

Après tant de favorables Declarations, ne seriez vous pas, chers Compatriotes, dans le plus grand tort du monde, si vous ne rejetiez loin de votre Esprit toutes les fausses Idées qu'on s'efforcera de vous donner contre cette Entreprise? Et si vous ne contribuiez pas, en ce qui dependra de vous, à ce que tout s'y passe à la Gloire du Tout Puissant, à l'Avantage et à la Liberté de la Nation, & au Bonheur et au Repos de l'Europe.

A. de GUISCARD.

L'Original est en François.

stant, and who nevertheless did, and do still, receive 'em every day with open Arms, notwithstanding the Endeavours of certain People, to represent 'em to them in the blackest Characters? In the mean time, who prevents the Effect of so criminal an Artifice, her Britannick Majesty, and their High Mightinesses, have thought fit to order Us to declare to the Roman Catholics, that Religion is no ways concern'd in the present Undertaking, in which they have nothing in view, but the Happiness and Liberty of the Nation in general: That all Monks, Rectors and Bishops may continue performing Divine Service, without fearing the least Disturbance: That whatever may give them the least Offence, either by Inadvertency or Malice, shall be immediately suppress'd, or severely punished; and that, for a greater Precaution against all manner of such Disorders, they have been pleas'd to charge me, more particularly, with the Concerns of the Romish Religion.

After so many favourable Declarations, wou'd-it-not be an unpardonable Fault in You, Dear Country-men, if You shou'd not reject from your Thoughts all the false Notions which some People will labour to give You of this Enterprize; and if you shou'd not use your best Endeavours, that the whole may succeed, to the Glory of the Almighty, the Advantage and Liberty of the Nation, and the Happiness and Repose of Europe.

A. de GUISCARD.

The Original is in French.

R. f

Numb.

## Numb. VIII.

*A Letter from an English Gentleman at Genoa,  
to his Friend in Holland, in Justification of the  
Earl of P———'s Conduct.*

S I R,

‘ **A**T our return from waiting upon his Royal  
Highness the Duke of Savoy, I found here  
your Answer to my Letters of the 3d of September,  
dated from *Alicans*. I am glad the Gentlemen, to  
whom you have communicated my Letters, (by  
the Knowledge they have of the Pr. L———)   
make so right a Judgment of that Irregular Conduct,  
which has put back King *Charles III.* from *Madrid*,  
and from the entire Possession of all *Spain*, while it  
was abandon'd by his Enemies: Which was a  
*Spanish* Punctilio of Honour, sublimed by G——man  
Politicks.

‘ I was not a little surpriz'd to learn all the mali-  
cious Reports that have been spread up and down,  
about my Lord P———'s Conduct. Altho' I am  
persuaded, that the Letters and Papers his Lordship  
has sent by Colonel *Hamilton*, will remove the Pre-  
judices that may have been entertain'd against him,  
and discover the base Artifices of his Enemies; yet  
if any Persons are not sufficiently convinc'd, the  
Testimony of the King's Secretary, Monsieur  
Z———g, who is set out for *England*, will clear  
my Lord P———g, in all Respects. The Per-  
plexities the Court has been in since our Departure,  
have open'd their Eyes, and the King Sollicits my  
Lord to return into *Spain*, with all Diligence,  
and to bring along with him the Duke of *Males*,  
who is to be his new Minister. I hope this will be  
a sufficient Justification, with respect to some, and  
that yourself will, at last, be convinc'd by their  
publick Confession of their Faults. Heaven has  
protected my Lord's Sincere Zeal for the Publick  
Good, and confounded the Malice of those who  
had projected his Ruin.

‘ I am sorry I did not send you, with my Letter  
from *Alicans*, the Papers which would have justified

all

' all that I had writ to you: Give me leave to repeat  
' here a Passage of your own Letter, and to answer  
' the same by an Abstract of the King's Letters, and  
' of other Persons. You write to me, 'tis reported,  
*That my Lord P. is a second St——g, who knows only*  
*how to command, and not how to obey; That he has been*  
*re-call'd to England, because he would not follow my*  
*Lord G——'s Orders, for marching with diligence to*  
*Madrid; That on the contrary he had trifled the Time*  
*away in marching up and down, and taking Requena,*  
*and other inconsiderable Towns; and that afterwards the*  
*Opportunity was lost. The second Accusation is,*  
*That he had insulted some Grandees of Spain; and lastly,*  
*That he had disoblig'd the King himself, by keeping all*  
*the Money sent from England for that Service, without*  
*leaving any to answer the King's Necessities, which was*  
*the Reason his Majesty could not see my Lord near him.*

' As for the first Accusation, 'tis the weakest that  
' can be invented: For my Lord G—— never did so  
' much as write to my Lord P—— to give him notice  
' of the condition he was in; nor did any other Ge-  
' neral of that Army, write to my Lord to join them;  
' as you shall see by the enclos'd Copy of a Certifi-  
' cate, taken from an Express sent by the Marquis  
' *das Minas*, and my Lord G——.

' Moreover, my Lord P—— was so far from  
' Retarding his March towards *Madrid*, that rightly  
' foreseeing the Dangerous Consequences of the  
' King's March through *Aragon*, he resolv'd, accord-  
' ing to the Advice of all his Officers, and those of  
' *Spain*, to march with the Horse and Foot into  
' *Castile*, where he arriv'd soon enough to preserve  
' the *Portuguese* Army, surprized by the Enemies  
' Forces superior to theirs, and consulting their  
' Safety by their Retreat. This is what my Lord  
' undertook of his own Head, even at the time he  
' receiv'd divers Letters from the King, who assur'd  
' him, that he was Master of *Madrid*, and of all the  
' *Dominions of Spain*, by the help of the *Portuguese*  
' *Army*; and therefore he was so far from ordering  
' him to come to *Madrid*, that he was for sending  
' him, with his Troops, either to *Italy*, the *Islands*,  
' or *Barcelona*; as you shall see by the following Ab-  
' stract of one of the King's Letters, dated the 3d of  
' *July* past.

*It seems likewise, that in the present Conjunction, the Enemies Forces, that are still in Spain, cannot hinder my being put in Possession of my Capital City, and afterwards of the whole Continent of Spain: Therefore, my Lord, I very much desire, that whilst you expect the Fleet under Admiral Shovel, you make such Dispositions, That upon the Arrival of the said Fleet, that Part of the Confederate Troops, which are now on the Sea Coast, and employ'd in the Expedition of Alicant and Carthagena, may immediately embark, and go to the Relief of the Duke of Savoy and Italy: Or in case there be no occasion for such a Relief, to undertake the Operations against the Islands of Majorca and Minorca, which, next to that of Savoy, would be most acceptable to me; and having left the necessary Garrisons for the Preservation of the said Islands, you might cause the rest of the Troops to be transported to Barcelona, where a good Garrison will ever be necessary, particularly in Winter-Time.*

\* There are abundance of other Letters, upon the same Subject, which I might insert here, but I omit them to avoid Prolixity. Now let any reasonable Man judge, if my Lord, having such Orders, has lost any Time? The Reduction of *Requena, Alicant and Carthagena* was undertaken by the King's Orders, and whilst we expected that his Majesty would come and join us at *Valencia*. The taking of *Requena* was absolutely necessary, it being a well fortify'd Pass to enter *Castile*; and 'tis matter of Amazement, That so considerable a Piece of Service, should be charg'd on him as a Crime.

\* Whoever is the Author of those Fables, knows not, or will not know, the true Cause of our Misfortunes in Spain; to which, undoubtedly, my Lord P—— is not accessary. The first fatal measures, that made us slip the Opportunity, were taken, and even resolv'd upon, long before the Court left *Barcelona*; where the Resolution was taken in a private Cabal, to march into *Aragon*.

Mr. S——pe gives the true Reason of it, in his Letter of the 18th of June, written from *Barcelona*, in these Words: *They have here a strong Inclination to pass thro' Arragon; I cease not soliciting the King to go to Valencia, which would engage him to have more Forces on that side; which we may easily do at present, whereas, if those, who have a mind to plunder Arragon, become*

become Masters of the King's Person, 'tis certain they will draw on that side all the Forces they can, to carry him that Way.

I don't think it necessary to give more Proofs upon that Head, what I have said being sufficient to discover both the Rashness and Folly of that Council: I shall only observe, That it clash'd with the Designs form'd in that Great Council of War, wherein the Generals, Admirals, Ministers, and the King Himself, had fix'd upon other Measures: That in the Succeeding Councils, the Ministers had protested against it: And lastly, that Mr. Stanhope, and the Portuguese Ambassador's Letters, are full of Invectives against such a Conduct. We know it, at present, by their own Confession: 'Tis from that Counsel all our Misfortunes have proceeded; and a false Step has been made to palliate another. They have made use of several malicious Turns and Artifices, to cast the Fault upon others, and to destroy them: But the Fault is so palpable, and their Artifices so gross, that they cannot conceal either.

When you reflect, That an Army continues within, and near Madrid, during 40 Successive Days, without pursuing a Flying Enemy: That no Preparations are making against an Enemy's Army, that returns towards them; and that they have so little Discipline in their own, and so little Intelligence of what passes among the Enemy, That they found themselves surpriz'd, one Morning, by an Army, of which they heard nothing the Night before; when you think, that during 40 days they have been Masters of the Capital City, without either taking any Precautions to preserve it, or Erecting any Magazines for the Subsistence of the Troops: When you take Notice that Madrid was lost without Striking a Stroke; and see, at the same time, that my Lord P—— even against the Orders he had receiv'd, brought up a reasonable Reinforcement, *both to Succour them, and make them Superior in Numbers to their Enemy.* When you consider all the Events that have happen'd, since my Lord P—— left Spain, to come into Italy, by the Queen's positive Orders: When you reflect on such a Retreat as they have made

made, and on the loss of 7000 Men without any Fight, on the Division amongst them, their want of Discipline, and the Fatality that has attended them ever since: In fine, when you see that they have lost more Men in a Month's time, than my Lord P——— ever had in all the Services he has done in *Spain*, you may well believe, that the World will easily judge, which are those that have done their Duty, which not: And if any Body thinks this to be unsufficient, I can assure you, That my Lord P——— is well provided with Papers, that may make it Evident to the whole Universe.

I shall only make a Reflection in this place, upon what the *En—— G——* has said, *That my Lord P——— had, at Valencia, an Army of 25000 Men under his Command*: Never did their Numbers exceed 4000; and those Troops, as well as the Train of Artillery, unprovided with Mules or Horses, or any of the Necessaries to keep the Field: Which Wants my Lord P——— has supply'd, in a very little time, by his indefatigable Care; besides a Regiment of Dragoons of 400 Men, whose Horses he bought with his own Money: A piece of Service which deserves Regard, and will be acknowledged by every Body, to the Confusion of those who have taken so much Pains to give an ill Turn to his Lordship's Actions.

What is reported, about my Lord P———'s Insulting some Grandees of *Spain*, is as false as malicious, and as diabolically invented, nothing being better known, nor more remarkable than the great Credit and Interest my Lord has with the *Spaniards*: For wherever he has been, he has had their Friendship and Esteem; and I may affirm, without Partiality, that he has a greater Ascendant over Them, than any of those that are near his Majesty. You will easily believe this, when you know that he has kept his Troops under the most severe Discipline, taking nothing from others himself, nor suffering any Body to do it; and Chastising, with the utmost Rigour, those who were Guilty of such Crimes. This Conduct, besides his affable Ways with all sorts of Persons, has, perhaps, had a more powerful Influence upon the *Spa-*  
nish



‘ *nish* Nation, than it would with any other People  
‘ in the World; especially after he had been treated  
‘ Superciliously, thro’ the Arrogance and starch’d  
‘ Ways of their Nobility.

‘ As for the Stories about the Application of the Money,  
‘ we are already used to hear them; for some time,  
‘ we have never been free from the Expectations of  
‘ the Court upon that Score; till the King himself saw,  
‘ that it was impossible to follow the Dispositions my  
‘ Lord P—— had made for the Payment of the  
‘ King’s Troops that attended him into *Valencia*; and  
‘ that the Paymaster-General refused to obey my Lord  
‘ P——’s positive Orders; alledging; That he could  
‘ not dispose of one Penny of the publick Money, accord-  
‘ ing to the Directions of the Treasury, the Sum design’d  
‘ for particular Uses being limited in England, so that  
‘ my Lord P—— was oblig’d to find Money  
‘ upon his own Credit, for the Publick Service: Judge  
‘ therefore, what Ground there was to raise such an  
‘ Accusation against him?

‘ The Court has a long time been convinc’d of that  
‘ Truth, and I’m sure they know too well in Eng-  
‘ land, what Instructions were given to Mr. Mead,  
‘ Paymaster General of the Army, to give any Credit  
‘ to so malicious a Charge.

‘ I find by all those Stories that some People would  
‘ persuade the World, That there have been great  
‘ Differences between the King and my Lord. ‘Tis  
‘ true, that the Measures my Lord has been oblig’d to  
‘ take, to oppose the dangerous Designs of his M——’s  
‘ Ministers, have made him the Mark of their Envy,  
‘ who could not but have some Ascendant over the  
‘ King; but as soon as L—— and C—— shall be  
‘ remov’d from the Council, which is like to happen  
‘ very soon, you shall see a good Harmony between  
‘ the Court and Him; and, I am sure, he will never con-  
‘ tend with any Body, but who shall most promote the  
‘ Publick Good. But even in the Height of the King’s  
‘ Displeasure, as some People would have it, when  
‘ my Lord was upon his Departure for *Italy*, the  
‘ King gave him all the Marks of a most particular  
‘ Esteem, with ample Powers to treat with the Ge-  
‘ nerals for Money, at his Discretion, and to mort-  
‘ gage, for that purpose, all his Dominions in Spain

*and Italy; which, in my Opinion, is not a small Testimony of the Trust he reposes in him.*

*Besides the Certificate above mentioned, I send you herewith a Copy of the Resolution of the Council of War, in consequence whereof, my Lord ventured so march into Castile, notwithstanding the King's Orders. You may depend upon the Copies, the Originals whereof I can shew at any time. This will suffice to confound the malicious Reports that have been invented: For which End I have desired my Lord to give me leave to send them to you. You may freely, and without scruple, make use of them; and be perswaded that I will very much resent any thing that can be advanc'd, if I represent Things to you otherwise, than as they really are.*

*I am,*

*S I R,*

*Genoa, Nov. 21, 1706.*

*Your, &c.*

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*Numb.*

Numb. IX.

*The Capitulation upon which the Island of Majorca submitted to the Obedience of King Charles III.*

*Capitulations which are desir'd of his Excellency Admiral Leake, who Commands the Fleet of Her Britannick Majesty, by the Illustrious Earl of Alcudia, Vice-Roy, and Captain-General of the City and Kingdom of Majorca, in Order to the Surrender of the said City and Island.*

*Art. 1. THAT* the Place and Island, with the Castles, Forts and Towers, shall be surrendered to the Forces of Her Britannick Majesty two Days after the Signing of the Capitulations; and that immediately after Signing shall be deliver'd up the Field Gate, with the Bastion of the Prince; and in the Interim there shall be no Hostilities committed, either on the one Part, or the other, and strict Orders shall be given to any of his People that enter, that they hinder all Confusions, Encounters, and Disorders: Which shall be inviolably complied with.

*Ans.* That the Place and Island of Majorca, with all their Castles, Forts and Towers, shall be deliver'd to the Forces of his Catholick Majesty, and of his High Allies, Twelve Hours after Signing the propos'd Capitulations; and that immediately, after Signing, the City of Majorca shall take care to appoint such a number of Men, the most proper to that end, that may immediately possess for King Charles III. the Field Gate, and the Bastion of the Prince; and in the Interim there shall be no Hostilities committed, either on the one Part, or the other; the said City undertaking to give positive and strict Orders to the Body of Militia appointed for that purpose, that they hinder all Confusions, Encounters and Disorders; which the Admiral for his Part engages carefully to do.

*Art. 2.* That the Illustrious Earl of Alcudia, Vice-Roy, shall freely go out to embark; as also the Ministers, as well of the Royal Audience as of the Royal Pari-



Patrimony, and of the Tribunals, Magistrates, and any other Officers, as well Royal as Universal, of any Degree, Preheminence or Condition soever; and that any other Persons, Natives of this City and Island, or Strangers, as well Ecclesiasticks as Seculars, that will depart with their Families, Cloaths, Goods and Moveables, may embark with the Illustrious Viceroy, if they please, without suffering any Hostilities or Vexation by the Force of the Admiral, or by the Peasants or Citizens, in their own Persons or Families; as also, that the Baggage and Effects which they desire to carry with them to the Place appointed, shall not be detain'd, upon any pretext for what they may have acted in the new Reign, since the Death of his Majesty King *Charles II.* of blessed Memory; and the Peasants and Citizens shall exactly and punctually observe the Contents of this, and the other Capitulations, on the Penalty of being severely Chastiz'd.

*Ans.* 'All this Article is agreed to, except only that none of the *French* Nation shall carry away any Part of their Effects.

*Art. 3.* That the said Illustrious Vice-Roy, Ministers, and other Persons mentioned in the foregoing Article, may have free Liberty to embark, and go out of this City and Island, with any Imbarkations, as well *French*, as others, that are to be found in this Port or Island, as soon as the Place is deliver'd, to any Port of *Spain*, *France* or *Italy*, as they shall appoint or think fit, and that the Admiral shall give them sufficient Convoys.

*Ans.* 'This Article is agreed to, with the same Limitations as the Second.

*Art. 4.* That in case the said Illustrious Vice Roy, Ministers, and other Persons abovemention'd, desire immediately to be going, and can't find sufficient Imbarkations to carry them to the said Ports, the Admiral shall give necessary Orders that they may be provided with what necessary Imbarkations they may have Occasion for.

*Ans.* 'Agreed.

*Art. 5.* That in Case any of the Inhabitants of this City or Island abovemention'd, desire to embark, and go to other Dominions, they may, and shall be admitted to stay in the Place six Months, with their

Liberty

Liberties, Families, Equipage and Moveables; the necessary Passports being given them; and they shall have one Year to dispose of their Lands and Estates, and enjoy their Product.

*Ans.* 'In Case any of the Inhabitants of the aforementioned City and Island of *Majorca*, desire to embark, and go to other Dominions, they may, and shall be admitted to stay in the Place one Month, with their Liberty, and their Families Equipage and Moveable Goods, with their necessary Passports; and shall have three Months to dispose of their Lands and Estates, and enjoy their Product; except those of the *French* Nation, as express in the Answer to the Second Article.

*Art. 6.* That the Garrison in the Castle and Forts of *St. Charles*, shall go out freely with all their Officers, as well *Spaniards* as *French*, delivering up at the same Time the City evacuated, the Castles and Forts; and that the *French* Garrison that are found in the said Castle, with their Commanders and Officers, shall be suffer'd to depart, carrying with them all the Tartans in which they came to this Island; with all their Equipage, Arms, Ammunition and Provisions that they brought, Masters and Marri-ners, with all things convenient for the Security of their Voyage to some Port of *France*.

*Ans.* 'The *French* Troops that embark shall not carry with them Arms, Ammunition or Provisions; only of the latter sufficient shall be given them for their Subsistence in their Voyage; and only so many Barks, as may be barely necessary to carry them to some Port on the Coast of *France*.

*Art. 7.* That the Lives and Estates of the Natives and Inhabitants, remain secure and safe, although they be *French*; and that the Consul of that Nation now in this City or Island, and the other Strangers, as well Neighbours and Inhabitants of the said City, as also any others of the other Towns of the Place, suffer no damage in their Persons or Families; neither shall their Houses or Goods be Sackt, or suffer any Hostilities by either Soldiers or Persons; and that if they desire it, they may have Passports to go out of the Island to *France*, or any other Place.

*Ans.* 'This Article is agreed to, with the same Exceptions as the Second.

*Art.*

*Art. 8.* That the City and Island of *Majorca*, their Natives and Inhabitants, and all the Commons and others, as well Ecclesiasticks as Seculars, shall be confirm'd and maintain'd in all their Priviledges, Laws, Rights and Liberties, as well Common as Particular, that they have enjoy'd and enjoy, and were allow'd by the Serene Kings of *Aragon* and *Majorca*.

*Answ.* The Priviledges, Rights and Liberties, shall be allow'd the said City, in the same manner as they enjoy'd them at the Death of King *Charles* the 2<sup>d</sup>, who is in Glory.

*Art. 9.* That nothing shall be touch'd belonging to the Cathedral Church, and others of this City and Island, Convents, Monasteries, Chappels, Hospitals, and other Sacred and Pious Places; nor the Cloaths, Goods, Money, Silver, Gold, Jewels or any other things of Value, that may be deposited in them; as well the Effects of the said Churches and Places, as of particular Persons that have taken Refuge in them; and that all those Sacred and Pious Places, with the Persons in them, as well Ecclesiasticks as Seculars, shall be maintain'd in all their Rights.

*Answ.* Agreed to, except that those of the *French* Nation shall have no Benefit by the present Article.

*Art. 10.* That the Houses and Goods of the Bishop, Vicar-general, Canons, and other Ecclesiasticks of this City and Island, shall remain free and safe, preserving untouch'd, and without Prejudice, all their Jurisdictions, as well Episcopal as others, their Curates, and all their Goods, as well in the City as out of it; enjoying and administering all with the Liberty that they at present enjoy and administer.

*Answ.* Agreed.

*Art. 11.* That there shall be no Innovations nor Prejudice done to the Immunities and Priviledges either Ecclesiastical or Royal, and other Prerogatives that have been granted the said Churches, Convents, and Sacred Places, as well in common as particular; but that they remain with their Liberties and Prerogatives that hitherto they have attain'd.

*Answ.* Agreed.

## The Appendix.

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*Art. 12.* That the Tribunal of the Inquisition shall be permitted, and continued as it has been heretofore, with the same Prerogatives, Jurisdictions and Priviledges, as well the Tribunal as their Ministers.

Done at the Castle Royal of Majorca the 27th of September, 1706.

*Answ.* Agreed, on Board the *Prince George* the 28th of September, 1706.

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### Numb. X.

*A Narrative of the Election, Meeting, and Dissolution of an Assembly, which met at Charles-Town in Carolina, January the 2d. 1708. In a Letter to a Friend.*

N. B. See the last Volume of these Annals, pag. 228, &c. to which this Piece has Relation.

S I R,

THE Gentlemen that with well to their Country, in *Berkley* and *Craven* Counties, met not till the Evening before the Election, and going to draw up a List of Candidates, they found themselves so streighten'd, by the Act lately pass'd, to qualify Members to Sit in the Commons House, entituled, *An Act for the more effectual Preservation of the Government of this Province, &c.* That they could not make a List of 20 Members in the Town, and both Counties, fit to serve in Parliament, without putting in a Dissenter, and one, who had no visible Estate in the Country, and divers others, who, as they had reason to doubt, would not qualify themselves. Since none can be fined by the Act, that will not serve, but may withdraw, if they'll but say they will not qualify themselves: He that has the next greatest Number of Votes amongst the Candidates, comes in; so that it may so happen, that one of 200 Votes may stand

stand out, and one of two come in. Nineteen of our List were chosen, and one, viz *Job How*, of the List of the *Goose-creek* Faction: Ours were chosen by the most substantial Free holders; their Votes were the *French*, who had before declared they would not Vote, whence we have reason to conclude, and some of them have confess'd, they were drawn, or driven in contrary to their Inclinations, which was partly effected, by putting a *French* man naturaliz'd into their List: Their other Votes were Masters of Vessels, lying in the Harbour, as *Capt. Cole, &c.* and all the Scum they could rake together, one of whom was put back, because he would not swear he was worth 10*l.* Some were forced in by huffing, and some scared with the dangers they were told the Church was in. *R*—— and *H*—— fell to quarrelling and affronting on the 2d Day, but no body thought it worth their Notice; but at the conclusion, they went off very calmly, when they saw how much they were out-done, and that the Country-men staid in Town to see the End of it: But soon after they scour'd to *Goose-Creek* and *Silk Hope*, and their Creatures echo'd out, that there was an Assembly chosen, would repeal the *Church-AB*, and would not pay the Country's Debts, and if so, the House and Town too, would quickly be too hot for them, and *R*—— swore they should not sit, tho' it cost him 1000*l.*

In *Colleton* County, about 200 Men have Votes, among whom there are not 14 Men would qualify themselves, that either *Church-men* or *Dissenters* think fit to Vote for, therefore none of the *Dissenters*, and but 10 Votes in all, appear'd at the Election: Some of the *Church-men* themselves giving this for a Reason, that they had no Choice, now the *Dissenters* were excluded, many of whom they thought would make better Representatives of their County, than any of their own Communion. The 10 Electors, Voted for 14 Candidates, and the Sheriff return'd 10 that had the majority of Votes, for which he was threatened to be fined. *Capt. Nearn* (a *Scot*) being amongst them, the Governor said, that the *Scots* had been declared Aliens, by an Act made a Year ago in *England*; but



but that Act, if any such there be, was never publish'd there: And the other Candidates, who had 2 Votes each, were to come in, rather than have a new Election, if any return'd, would not qualify themselves.

We had some hopes from the Governor's Mouth; a little before the Sitting, That the Assembly would Sit, and he would join with them in redressing Grievances; but if they went (he told them) to repeal the Act, concerning qualifying Members, it would be Labour in vain, for he should not concur with them in that, unless the Palatine should signify his Pleasure, that he approv'd of it; but by the Sequel you'll find those Hopes were vain.

Wednesday, January the 2d, being the first day of Sessions, some Members met, but not enough to make a House to chuse a Speaker, till about 9 at Night; a Southern Member acquainting the House that several of their Members were stop'd by a flat run on ground in a Creek the Night before, so that they could not come till about 10 or 11 at Night: When there were 15, Mr. How, one of the Members was requested in the Governor's presence by Mr. Stevens, to attend and compleat the House, but refus'd; about 9 the House was compleat, and waited on the Governor, and ask'd if he would direct them to chuse a Speaker? He answer'd, he thought 'twas too late, for the day was past; but if they would venture, they must do it with speed, for it would endanger his Health to sit up: So they presently chose Mr. Seabrook, and presented him to the Governor. He approv'd the Choice; the Speaker assum'd the Chair, by which time 'twas about 11 at Night, and most of the Members being fatigu'd with their Passage, having some of them been a Night and a Day on the Water, and the qualifying of Members being the first business to be done, and that only between 9 in the Morning, and 4 in the Afternoon, the House adjourn'd till 10 next Morning.

Thursday 3d. Means being us'd, (as there's great cause to suspect) not only to prevent several Members from coming to Town, but also to divert some of those in Town from attending: And not enough

enough attending to make a House, to send a  
 Messenger for the absent Members. A compleat  
 House could not be formed till about three, and  
 that with great Trouble and Difficulty to the at-  
 tending Members: The House being compleat,  
 6 Members, who had receiv'd the Sacrament, qua-  
 lified themselves by taking the Oaths and Test;  
 which being done, other Members were call'd on  
 to qualify: Three only appear'd ready, which  
 would not make a qualify'd House, if they had  
 been qualified; therefore others were told, if they  
 would qualify, it must be presently, else the time  
 was so near elaps'd, that they could not do it that  
 Day: Some hereupon rais'd Scruples, especially  
 the *Colliton County* Men, who said they could not  
 see, how they could qualify themselves either way;  
 for Publick-Church or Church Minister, they had  
 none in the County, and the Minister at Town, if  
 they had come before the Session, had declared in  
 his Pulpit, *he could not administer, by reason of a*  
*weakness in his Hands*: And although they had  
 been bred up in the Profession of the Church of  
 England, and are still Members thereof, and had of real  
 choice rather worship God, according to the Rites of that  
 Church, than any other Way, yet for want of that Wor-  
 ship, they have sometimes attended at the Dissenters  
 Meetings, as they thought it their Duty, rather than  
 wholly neglect the Publick Worship of God; and how they  
 could then safely Swear, they usually frequented the Church  
 of England, when they had been oftner at other Churches,  
 they wanted to be satisfied: The time for qualifying  
 for that day, being thus expected, the House ad-  
 journ'd to Friday 9th Mane.

Friday before the House met: A Report was (in-  
 dustriously, as is believ'd) spread to discourage the  
 Members from Sitting, viz. that they had forfeited  
 50 l. per Man, for adjourning before they were qua-  
 lified, which none of the Members ever thought  
 before, there being no time mention'd for Qualify-  
 ing; and the last Assembly, and some others, ha-  
 ving sat without taking any Oaths, and they were  
 wholly unacquainted with these; notwithstanding  
 most of the Members met that attended the day  
 before, &c. H--- and W--- were added to the  
 Number, and offered to qualify: But Barnwell  
 coming

coming with a Message; the House attended the Governor, who told them, *They were building on a wrong Foundation, and the Superstructure would never stand; for they had dissolv'd themselves by Adjourning, before there was a competent Number of Members, qualified to adjourn, and he could not dissolve them if he would, they not being a House. All this, he said, he knew very well, as being himself for many Years, a Member of the House of Commons in England; and therefore, as he was their Head, he would advise them, to go back no more to the House, but go every Man about his own Business: For, said he, if you should persist in sitting and making Laws, besides the Incurring the Penalties of the Act, the Laws would be of no Force, if he should ratify them, and no body would obey them, and the next Assembly would repeal them, &c.* Some, however, desired the Members to keep together, and the Speaker to take the Chair, but he would not come near it; but some went one way, some another, till none were left.

It being to no Purpose to chuse a new Speaker, without the Governor's Direction; they sent Two Members for the Speaker already chosen, and desired him to take the Chair, that they might qualify Members; but he utterly refused, unless two Members would go with him to the Governor, and he should advise him to it, and should promise to ratify such Acts, as we should make, (which he was assur'd he would not do.) He was told, there could be no danger in qualifying of Members, and if that was done, they could safely debate; and put it to the Vote, whether we were dissolv'd, or not, but he again utterly refus'd. Governor and Council disowning, the Speaker leaving the House, and *W...g...n* conceiving it was dissolv'd, the House dispersed, and never met more; and it did not a little aggravate the Disturbance of some, that so great an Inclination to dissolve them, should so bare-facedly appear, and yet, that it should not be done, but by making them *Feto de se*.

## Numb. XI.

*Articles of the Treaty of Peace, between the King of Sweden, and King Stanislaus of Poland, on the one Part; and King Augustus Elector of Saxony, on the other Part.*

*In the Name of the Holy Trinity.*

WHEREAS while *Poland* was under the Obedience of the most Serene and Potent Prince and Lord, *Frederick Augustus*, King, and Elector of *Saxony*, a cruel War broke out, which being carried on till this Seventh Year, has brought not only on the Kingdoms of *Sweden* and *Poland*, but likewise on the Electorate of *Saxony*, various Troubles, Losses and Calamities; yet, in the mean time, Affairs took such a Turn, that the Republic of *Poland*, being rent into Divisions, elected the most Serene and Potent Prince and Lord *Stanislaus* the First, for their King; and to defend his Throne, made an Association with the most Serene and Potent Prince and Lord *Charles* the XIIth, King of *Sweden*: By Means whereof, though it appear'd likely the Flames of War would rage with greater Violence, and spread more wide, yet it has happen'd, by the singular Goodness of God, that the contending Princes and Kings conceiv'd in their Minds an earnest Desire of Peace, and concurr'd in mutual Wishes, and Endeavours, to extinguish the fatal Fire of this War. Hereupon the following Ministers were appointed and commission'd, with Full Power, to transact to good a Work, that is to say, by his Sacred Royal Majesty of *Sweden*, the most Illustrious, most Excellent, and most Noble Persons, *Charles Count Piper*, one of the Royal Senate, chief Marshal of the Court, Councillor of the Royal Chancery, and Chancellor of the University of *Upsal*, and *M. Olavus Hermelinus* Secretary of State; by his Sacred Royal Majesty of *Poland*, as Confederate of his Sacred Royal Majesty of *Sweden*, the most Illustrious, most Excellent, and most Noble *John Stanislaus Count*

Feb-

*Tablanowski*, Palatine and General of the Territories of *Russia*, and *Alexander Paul* Count *Sapieha*, chief Marshal of the great Dukedom of *Lithuania*; and on the Part of his Sacred Majesty and Electoral Serenity, the most Illustrious, most Excellent, and most Noble *Anthony Albrecht* Baron of *Imhof*, Privy Councillor, and President of the Chamber, and *M. George Ernestus Pfingsten*, Privy Referendarius (or Secretary:) Who assembling in the *Swedish* Camp, and having, in the due Form, exchange'd the Instruments of their Full Powers, concerted Matters so far, that by the Divine Assistance, the long-wish'd-for Peace may be restor'd, and mutual Articles of Friendship agreed, of the following Tenour.

*Article I.* That there be a perpetual firm Peace, and sincere Friendship, between the most Serene and most Potent Prince and Lord, *Charles the XIIIth*, by the Grace of God, King of the *Swedes*, *Goths* and *Vandals*, &c. and his Successors and future Kings, the Kingdom of *Sweden*, and the Territories and Provinces subject to the same; as also the Confederate of his Sacred Royal Majesty of *Sweden*, the most Serene and most Potent Prince and Lord, *Stanislaus* the 1st, by the Grace of God, King of *Poland*, Great Duke of *Lithuania*, &c. and his Successors, and future Kings of *Poland*, and Great Dukes of *Lithuania*, and the Territories and Provinces subject to them, on the one Part. And the most Serene and most Potent Prince and Lord, *Frederick Augustus*, by the Grace of God King, Hereditary Duke of *Saxony*, chief Marshal, and Elector of the Holy Roman Empire, Landgrave of *Thuringia*, Marquis of *Misnia*, and of the Upper and Lower *Lusatia*, Burgrave of *Magdebourg*, &c. and his Heirs and Successors on the other Part: That so all Hostility ceasing, neither Party may do any Damage, secretly or openly, directly or indirectly, to the other, nor cause it to be done by others; may attempt nothing to the Disadvantage or Prejudice of the other; may give no Assistance, under any Pretence whatsoever, to the Enemies of the other; nor make Alliances with others, contrary to this Pacification; but that both Parties may hold themselves oblig'd, from henceforward, to seek, and do what may contribute to the Honour and Profit of each other, and to observe

and maintain inviolably mutual Friendship, and good Neighbourhood.

Art. II. That there be an eternal Oblivion of of all Damages which either Party has sustain'd, by reason of this War: Neither of the Parties shall reproach the other with any fore-past Actions, nor make any Prosecution by open Force, or under colour of Justice: nor demand Satisfaction of the other for the Sums expended, or Damages suffer'd in the War.

¶ No private Persons shall be allow'd to commence any Action for recovering Confiscations made during the War: With a Salvo, however, to the Tenour, and Force of the 6th. Article hereafter following.

Art. III. That the Root of this unhappy War, and of all Enmity may be pluck'd clear up, the most Serene Prince and Lord *Frederick Augustus*, King, and Elector of *Saxony*, induc'd by the Love of Peace, yields up the Kingdom of *Poland*, and renounces now, and for ever, all Right and Claim to *Poland*, and the great Dukedom of *Lithuania*, and the Provinces subject to them: And by Virtue of this Treaty solemnly acknowledges and declares the most serene Prince and Lord *Sranislaw I.* for true and rightful King of *Poland*, and the great Dukedom of *Lithuania*. So that during his Life, and after his Decease, if he out-live him, he shall not form any Claim or Pretension to the Kingdom of *Poland*, and great Dukedom of *Lithuania*.

¶ But 'tis agreed, that the most serene King and Elector of *Saxony*, shall retain the Name and Honours of a King, yet without the Arms and Title of King of *Poland*.

Art. IV. The most serene King and Elector further promises, and that he will notify and manifest his Abdication to the Estates of the Republick of *Poland*, by a solemn *Diploma* directed to them; and that within six Weeks, to be reckon'd from the Day of the concluding and subscribing of this Treaty, he will cause that *Diploma* to be deliver'd into the Hands of the most serene King of *Sweden*. Likewise, from this time, and by this present Agreement, he absolves and discharges the said *Estates* of the Republick of *Poland*, with all and singular the Inha-

Inhabitants of Poland and Lithuania, from the Oath and Obedience by which they were before bound, and permits them to swear Allegiance and Obedience to the most serene King Stanislaus I.

¶ He also promises, *bona fide*, that from henceforward he will not, secretly or openly, concert any Measures with them: That he will not receive, abet, or protect, any of them who may already have refus'd Submission to the new King, or shall hereafter maliciously withdraw from his Obedience. Nor with them, or any others whatever, attempt any thing, that may be prejudicial to this Agreement, the most serene King Stanislaus, and the Republick of Poland.

Art. V. In like manner he does by this present Pacification abrogate and declare void, all Alliances and Agreements that he has made with other Princes and States against the most serene Kings of Sweden and Poland; and especially those he enter'd into with the Czar of Muscovy, against the said Kings and Kingdoms, either before, or during this War,

¶ From henceforward he shall not only forbear sending any Succours to the said Czar of Muscovy, but shall recal out of his Service all the Saxon Auxiliaries formerly sent him, and now carrying Arms, among the Muscovite Troops.

Art. VI. So likewise all Decrees and Statutes, vulgarly call'd *Awards*, especially those pass'd in the *Senatus-Consilium* of Warsaw, the Conventions of Mariembourg, Thorn, Elbing, Jzwarrow, Sendomir, Cracow, Brezeze, Olchinja, the last at Grodno, and other Congresses, and in the Assemblies at Lublin, so far as they are found contrary to this Pacification; as also all Confiscations of Estates, Abolitions of Offices, and Employments, and Outlawries, that have been made since the 15th of February 1704, N. S. are now, and for ever, abrogated and annull'd.

¶ It shall be in the Power of the most serene King of Poland, to resume or confirm whatever Dignities, Employments or Benefices, Ecclesiastical or Secular, have since that time been conferr'd by the most serene King, and Elector, on Persons of this Par-

ty.  
Art. VII. The Crowns, and the rest of the Regalia of the Kingdom of Poland, as also all the Re-

**W**ords of the Kingdom, which, 'tis suppos'd, are convey'd into *Saxony*, with all the regal Ornaments and Jewels; shall be deliver'd up to the most serene King of *Poland*, immediately after the Ratification of this Treaty.

**Art. VIII.** The most serene Royal Princes, *James* and *Constantine*, shall, at the same time, be releas'd from their Confinement, and conducted to the *Swedish* Camp in a decent Manner; but first they shall oblige themselves, by a Writing, in proper form, not to make any Disturbance or attempt to revenge hereafter the Injuries they suffer'd in the time of the War, or during their Confinement.

**¶** The most serene King and Elector promises to pay to the most serene Prince *James*, the Sum of Money due to him upon a Bond, and to give Order that, without any cavilling, that Bond may be entirely satisfied.

**Art. IX.** All the *Poles* and *Lithuanians*, of what Quality or Condition soever, that have been carried to *Saxony*, and by Order of the most serene King and Elector are detain'd Captives there, or elsewhere, shall be restor'd to their former Liberty. The most serene King and Elector does likewise promise to interpose his good Offices with the Pope, that the Bishop of *Pozania* may speedily be set at Liberty.

**Art. X.** So likewise, all the *Swedes* taken in this War, and kept in Custody in *Saxony*, or else where, whatever Rank or Condition they are of, shall, as soon as this Treaty is ratified, be set at Liberty Ransom-free. His Sacred Royal Majesty of *Sweden* will, at the same time, set at Liberty a like Number of *Saxons*, and also all General and other Officers, Ransom-free; but the remaining private Soldiers Prisoners, as well as those who have already taken Service in his Troops, shall be detain'd by him, if he think fit, and list'd into his Service.

**¶** Whatever Officer on either side has contracted Debts during the Time of his being detain'd Prisoner, shall pay them, or be oblig'd to give Security, before he be set at Liberty.

**Art. XI.** All Deserters and Traitors, that shall be found in *Saxony*, whether they be *Swedes*, or of  
Pro.



Provinces subject to Sweden, shall be deliver'd up to his sacred Royal Majesty of Sweden, and particularly *John Renuld-Parkul*, who, till he be deliver'd up, shall be kept in close Custody.

Art. XII. Also the Muscovite Soldiers that remain in the Electorate of *Saxony*, shall be deliver'd as Prisoners to his sacred Royal Majesty of Sweden.

Art. XIII. All Colours, Standards, Kettle Drums, Artillery, and the like Ensigns, or Instruments of War, that have been taken from the *Swedes*, and are kept as Trophies, shall be restor'd to his sacred Royal Majesty of Sweden.

Art. XIV. Colonel *Gortz*, whom his sacred Royal Majesty of Sweden took under his Protection, having, tho' absent, and without Cause shewn, been publickly declar'd intamous; that Sentence shall be annull'd, and he restor'd to his former Honour and Reputation.

Art. XV. Whereas, by Reason of the Distance of Places, the ratifying of this Pacification, and obtaining the Guaranty hereafter mention'd, seem to require some Length of Time, it shall be free for his sacred Royal Majesty of Sweden to put his Troops into Winter Quarters throughout the whole Electorate, and its Provinces, and there to collect Forrage, and pay for them. In the mean time, certain Districts shall be appointed, in which the Troops his sacred Royal Majesty and Electoral Serenity has in *Saxony*, may have safe and quiet Subsistence: And as for the Troops he has in the Kingdom of *Poland*, they shall continue, and have Subsistence there, yet in the Places distant from the Quarters of the *Swedes*, till the *Swedes* leave *Saxony* to return home.

Art. XVI. at the same Time, the Towns and Castles of *Cracow* and *Tykoczin*, and whatever other fortified Places are garrison'd with *Saxons*, shall be evacuated, and deliver'd up to such as his sacred Royal Majesty of *Poland* shall nominate and appoint, with all the Artillery and Stores of War that are found in them.

Art. XVII. And whereas *Leipsick*, with the adjacent Castle, have been surrendred, and *Wirrenberg* has also receiv'd a *Swedish* Garrison, 'tis agreed, that when the Articles of this Treaty are fulfill'd, and

**W**executed, the *Swedish* Garrisons shall quit those Towns and Castles, which shall be restor'd intirely to their former State, and, at an Appointed Day, the *Swedish* Army shall march out of the *Saxon* Territories.

*Art. XVIII.* All Hostilities shall cease in the Electorate of *Saxon*, and its Provinces, and a Truce be faithfully kept, from the Day of the Conclusion and Signing of this Treaty, by the Commissioners appointed on both sides: And in *Poland* and *Lithuania*, as soon as Notice of the Peace being made, can reach the Armies of both Parties, for which 21 Days are allow'd.

*Art. XIX.* It is agreed between the most serene King of *Sweden*, and the most serene King, and Elector of *Saxony*, by a particular Compact, that both, as Members of the *Roman German* Empire, shall firmly maintain Religion, as establish'd by the Peace of *Munster*, and in the other Affairs of the Empire, act in Concert by joint Counsels. And that the Estates and Inhabitants of *Saxony* and *Lusatia* may be better secur'd of enjoying the free Exercise of the *Protestant* Religion, at the Instance of his Sacred Royal Majesty of *Sweden*, as Guarantee of the said Peace, his Sacred Royal Majesty, and Electoral Serenity, promises for himself, and the succeeding Electors of *Saxony*, that no Change of the Protestant Religion shall ever be introduc'd into the said Countries; nor shall *Roman* Catholicks be allow'd any Churches, Schools, Academies, Colleges, Monasteries, or Places, where to erect them, now, or hereafter.

*Art. XX.* If the most serene King, and Elector of *Saxony*, shall, on Account of this Treaty, be hostilely attack'd by the Czar of *Muscovy*, or any other; the most serene Kings of *Sweden* and *Poland* will assist him against the Aggressor.

¶ They likewise promise, that when Peace shall come to be negotiated with the Czar of *Muscovy*, Regard shall be had to the most serene King and Elector, that his just Demands may be fairly satisfied.

*Art. XXI.* All that is thus settled, agreed, and promis'd by this Treaty, shall not only be inviolably and religiously observ'd, and faithfully and punctually fulfill'd, in every Article or Clause of the Treaty,

by each of the most serene Kings and Princes that are Parties to it, but that this Peace may be the more firm and lasting, the most serene King and Elector of *Saxony*, undertakes to endeavour to procure the Guaranty of the most serene and most potent *Roman Emperor*, of the most potent Queen of *Greas-Britain*, and of the High and Mighty States General of the *United Netherlands*, and to exhibit the same in due and solemn Form, in Writing, within 6 Months after the Signing of this Treaty. Besides the foremention'd Potentates, his sacred Royal Majesty of *Sweden* may, if he thinks fit, invite, and take in other Guarantees.

*Art. XXII.* Lastly, this Pacification, of which two Instruments are drawn up, shall within six Weeks, from the Day of its being sign'd, be ratified, in the most authentick form, by each of the Parties to it: On the Part of his Sacred Royal Majesty of *Sweden*, and his Sacred Royal Majesty of *Poland*, one Copy shall be ratified; and on the Part of his Sacred Royal Majesty and Electoral Serenity, two Copies shall be ratified: Which Copies shall, within the aforesaid space of Time, be exchange'd at a Place and Day appointed, by the Commissioners of both Parties. In Testimony of all which, We, the above nam'd Commissioners, being entrusted with Full Power and Orders, have sign'd without Hands, and corroborated with our Seals, two Instruments of the same Tenour. Done in the Village of *Alt-Ranstad* the 24th day of *September*, N. S. in the Year 1706.

*L. S. Carolus Piper:  
L. S. Olaus Hermelin.*

*L. S. Antonius Albertus Li-  
ber B. de Imbof.  
L. S. Georgius Ernestus  
Pfingsten.*

*Separate Article.*

Notwithstanding the most Serene Prince and Lord *Frederick Augustus*, King, and Elector of *Saxony*, has promis'd, by the 21st Article of this Treaty, to procure and exhibit the Guaranty therein mention'd, within the Space of 6 Months; yet if it shall happen, that, for evident Reasons, he cannot procure

cure it, or should be oblig'd to defer the Exhibiting or Delivering it, beyond the aforesaid time, it is agreed, that the Treaty shall, however, continue in Force, nor shall its Validity be deem'd to be diminished on that Account.

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Numb. XII.

*The Articles of the UNION as they Pass'd with Amendments in the Parliament of Scotland, and Ratify'd by the Touch of the Royal Scepter at Edinburgh, January 16. 1707. By James Duke of Queensberry, Her Majesty's High Commissioner for that Kingdom.*

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*Note, that the Amendments are all in Italick, that they may better appear to the Reader's View.*

I. **T**HAT the Two Kingdoms of *Scotland* and *England*, shall, upon the First Day of *May* next ensuing the Date hereof, and for ever after, be united into One Kingdom, by the Name of *Great-Britain*, and that the Ensigns Armorial of the said United Kingdom, be such as her Majesty shall appoint; and the Crosses of *St. Andrew* and *St. George* be conjoin'd in such manner as her Majesty shall think fit, and used in all Flags, Banners, Standards, and Ensigns, both at Sea and Land.

II. That the Succession to the Monarchy of the United Kingdom of *Great Britain*, and of the Dominions thereunto belonging, after her most sacred Majesty, and in Default of Issue of her Majesty, Be, Remain, and Continue to the most Excellent Princess *Sophia*, Electress and Dutches Dowager of *Hannover*, and the Heirs of her Body, being Protestants, upon whom the Crown of *England* is settled, by an Act of Parliament made in *England* in the Twelfth Year of the Reign of his late Majesty King *William* the Third; Entituled, *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties*

*Liberties of the Subject.* And that all Papists, and Persons marrying Papists, shall be Excluded from, and for ever incapable to Inherit, Possess, or Enjoy the Imperial Crown of *Great Britain*, and the Dominions thereunto belonging, or any Part thereof. And in every such Case, the Crown and Government shall from Time to Time, Descend to, and be Enjoyed by such Person, being a Protestant, as should have Inherited and Enjoyed the same. In case such Papists, or Person marrying a Papist was naturally dead, according to the Provision for the Descent of the Crown of *England*, made by another Act of Parliament in *England*, in the First Year of the Reign of their late Majesties King *William* and Queen *Mary*, Entituled, *An Act declaring the Rights and Liberties of the Subjects, and settling the Succession of the Crown.*

III. That the United Kingdom of *Great Britain* be represented, by one and the same Parliament, to be stiled the Parliament of *Great Britain*.

IV. That all the Subjects of the United Kingdom of *Great Britain* shall, from, and after the Union, have full Freedom and Intercourse of Trade, and Navigation, to, and from any Port or Place within the said United Kingdom, and the Dominions and Plantations thereunto belonging; and that there be a Communication of all other Rights, Privileges, Advantages which do, or may belong to the Subjects of either Kingdom, except where it is otherwise expressly agreed in these Articles.

V. That all Ships or Vessels, belonging to her Majesty's Subjects of *Scotland*, at the Time of Ratifying the Treaty of Union of the Two Kingdoms, in the Parliament of *Scotland*, though Foreign Built, be deemed, and pass as Ships of the Build of *Great Britain*; the Owner, or where there are more Owners, one or more of the Owners, within Twelve Months after the first of May next, making Oath, that at the Time of Ratifying the Treaty of Union in the Parliament of *Scotland*, the same did, in whole or in part, belong to Him or Them, or to some other Subject or Subjects of *Scotland*, to be particularly Named, with the Place of their respective Abodes; and that the same doth then, at the Time of the said Deposition, wholly belong to Him, or Them, and that no Foreigner, Directly

Directly, or Indirectly, hath any Share, Part, or Interest therein. Which Oath shall be made before the chief Officer or Officers of the Customs, in the Port next to the Abode of the said Owner or Owners: And the said Officer or Officers shall be empowered to Administrate the said Oath: And the Oath being to administrate, shall be Attested by the Officer or Officers, who Administrated the same. And being Registered by the said Officer or Officers, shall be delivered to the Master of the Ship for Security of her Navigation; and a Duplicate thereof shall be transmitted by the said Officer or Officers, to the Chief Officer or Officers of the Customs in the Port of *Edinburgh*, to be there enter'd in a Register, and from thence to be sent to the Port of *London*, to be there enter'd in the General Register of all Trading Ships belonging to *Great Britain*.

VI. That all Parts of the United Kingdom, for ever, from and after the Union, shall have the same Allowances, Encouragements and Draw-backs, and be under the same Prohibitions, Restrictions and Regulations of Trade, and liable to the same Customs, and Duties, and Import and Export. And that the Allowances, Encouragements, and Draw-backs, Prohibitions, Restrictions, and Regulations of Trade, and the Customs and Duties on Import and Export settled in *England*, when the Union commences, shall, from, and after the Union, take place throughout the whole United Kingdom: Excepting and Reserving the Duties upon Export and Import, of such particular Commodities, from which any Person, the Subjects of either Kingdom, are specially Liberated and Exempted by their Private Rights, which after the Union, are to remain Safe and Entire to them in all Respects, as before the same. And that from, and after the Union, no Scotch Cattle carried into *England*, shall be liable to any other Duties, either on the Publick or Private Accounts than those Duties, to which the Cattle of *England* are, or shall be liable within the said Kingdom. And seeing by the Laws of *England*, there are Rewards granted upon the Exportation of certain kinds of Grain, wherein Oats Grinded or Ungrinded, are not Expressed, that from and after the Union, when Oats shall be sold at Fifteen Shilling Sterling per Quarter, or under, there shall be paid Two Shilling and Six Pence Sterling for every Quarter of the Oatmeal Exported, in the Terms of the Law, when.

by, and so long as Rewards are granted for Exportation of other Grains; and that the Beer of Scotland have the same Rewards as Barley: And in respect the Importation of Viñual into Scotland, from any Place beyond-Sea, would prove a discouragement to Tillage, Therefore that the Prohibition, as now in Force by the Law of Scotland, against Importation of Viñual from Ireland, or any other Place beyond-Sea into Scotland, do, after the Union, remain in the same Force as now it is; until more Proper and Effectual Ways be provided by the Parliament of Great-Britain, for discouraging the Importation of the said Viñual from beyond-Sea.

VII. That all Parts of the United Kingdom be for ever, from, and after the Union, liable to the same Excises upon all Excisable Liquors, Excepting only that the Thirty four Gallons, English Barrel of Beer or Ale, amounting to twelve Gallons Scots present Measure, sold in Scotland by the Brewer at nine Shillings Six pence Sterling, excluding all Duties, and Retailed, including Duties, and the Retailers Profit at Two-pence the Scots Pint, or eight part of the Scots Gallon, be not after the Union liable on account of the present Excise upon Excisable Liquors in England to any higher Imposition than two Shillings Sterling upon the foresaid Thirty four Gallons, English Barrel being twelve Gallons the present Scots measure. And that the Excise settled in England on all other Liquors, when the Union commences, take place throughout the whole United Kingdom.

VIII. That from and after the Union, all Foreign Salt which shall be imported into Scotland, shall be charg'd at the Importation there, with the same Duties as the like Salt is now charg'd with being imported into England, and to be levied and secured in the same manner. But in regard the Duties of great Quantities of Foreign Salt imported may be very heavy upon the Merchants Importers, that therefore all Foreign Salt imported into Scotland, shall be cellar'd and look'd up under the Custody of the Merchant Importer, and the Officers employ'd for Levying the Duties upon Sals; and that the Merchant may have what Quantities thereof his Occasions may require, not under a Weigh or Forty Bushels at a time, giving Security for the Duty of what Quantities he receives payable in six Months. But Scotland shall, for the space of Seven Years, from the said Union, be exempted from paying in Scotland for

for Salt made there, the Duty or Excise now payable for Salt made in *England*; but from the Expiration of the said Seven Years, shall be subject and liable to the same Duties for Salt made in *England*, to be levied and secured in the same manner, and with proportional Drawbacks and Allowances as in *England*, with this Exception, *That Scotland shall, after the said Seven Years, remain exempted from the Duty of two Shillings and Four Pence the Bushel on home Salt, imposed by an Act made in England in the ninth and tenth Years of King William the Third of England*; and if the Parliament of Great-Britain shall at, or before the Expiring of the said seven Years, substitute any other Fund in place of the said two Shillings and four Pence of Excise upon the Bushel of home Salt, *Scotland shall, after the said seven Years, bear a proportion of the said Fund, and have an Equivalent in the Terms of this Treaty.* And that during the said seven Years, there shall be pay'd in *England* for all Salt made in *Scotland*, and imported from thence into *England*, the same Duties upon the Importation as shall be payable for Salt made in *England*, to be levied and secured in the same manner as the Duties on Foreign Salt are to be levied and secured in *England*. And that after the said seven Years, *how long the said Duty of two Shillings four Pence a Bushel upon Salt is continued in England, the said two Shillings four Pence a Bushel shall be payable for all Salt made in Scotland and imported into England to be levied and secured in the same manner*; and that during the Continuance of the Duty of Two Shillings Four Pence a Bushel upon Salt made in *England*, no Salt whatsoever be brought from *Scotland* to *England* by Land in any manner, under the Penalty of forfeiting the Salt and the Cattle and Carriages made use of in bringing the same, and paying twenty Shillings for every Bushel of such Salt, and proportionably for a greater or lesser quantity, for which the Carrier as well as the Owner shall be liable, jointly and severally, and the Persons bringing or carrying the same, to be imprisoned by any one Justice of the Peace, by the space of six Months without Bail, and until the Penalty be paid. And for establishing an Equality in Trade, that all Flesh exported from *Scotland* to *England*, and put on Board in *Scotland*, to be exported



ported to Ports beyond the Sea, and Provisions for Ships in Scotland, and for Foreign Voyages, may be salted with Scots Salt paying the same Duty for what Salt is so employ'd as the like Quantity of such Salt pays in England, and under the same Penalties, Forfeitures and Provisions, for preventing of Frauds as are mentioned in the Laws of England: And that from and after the Union, the Laws and Acts of Parliament in Scotland for Pining, Curing and Packing of Herrings, white Fish and Salmon, for Exportation with Foreign Salt only, without any mixture of British or Irish Salt; and for preventing of Frauds, and Curing and Packing of Fish, be continued in force in Scotland, subject to such Alterations as shall be made by the Parliament of Great-Britain; and that all Fish exported from Scotland to Parts beyond the Seas, which shall be Cured with Foreign Salt only, and without mixture of British or Irish Salt, shall have the same Eases, Privileges and Draw-backs, as are or shall be allowed to such Persons as export the like Fish from England; and that for Encouragement of the Herring Fishing, there shall be allowed and payed to the Subjects, Inhabitants of Great Britain, during the present Allowances for other Fishes, Ten Shillings five Pence Sterling for every Barrel of White Herring, which shall be exported from Scotland; and that they shall be allow'd five shillings Sterling for every Barrel of Beef or Pork salted with Foreign Salt, without mixture of British or Irish Salt, and Exported for Sale from Scotland to Parts beyond Sea, alterable by the Parliament of Great-Britain. And if any Matters of Frauds, relating to the said Duties on Salt, shall hereafter appear which are not sufficiently provided against by this Article, the same shall be subject to such further Provisions as shall be thought fit by the Parliament of Great-Britain.

IX. That whenever the Sum of One Million Nine Hundred Ninety Seven Thousand, Seven Hundred and Sixty Three Pounds, Eight Shillings, Four Pence Half penny, shall be Enacted by the Parliament of Great Britain, to be raised in that part of the United Kingdom, now called England, on Land and other Things usually charged in Acts of Parliament there, for granting an Aid to the Crown by a Land-Tax; that part of the United Kingdom, now called Scotland

*Scotland*, shall be charged by the same Act, with a further Sum of Forty Eight Thousand Pounds, free of all Charges, as the Quota of *Scotland* to such Tax and so proportionably for any greater or lesser Sum raised in *England*, by any Tax on Land, and other Things usually charged, together with the Land; and that such Quota for *Scotland*, in the Cases aforesaid, be raised and collected in the same manner as the Cess now is in *Scotland*, but subject to such Regulations in the manner of Collecting, as shall be made by the Parliament of *Great-Britain*.

X. That during the Continuance of the respective Duties on Stamp'd Paper, Vellom and Parchment, by the several Acts now in force in *England*, *Scotland* shall not be charged with the same respective Duties.

XI. That during the Continuance of the Duty payable in *England* on Windows and Lights, which determines on the First Day of *August*, One Thousand Seven Hundred and Ten, *Scotland* shall not be charged with the same Duties.

XII. That during the Continuance of the Duties payable in *England* on Coals, Culm and Cynders, which determines the Thirtieth Day of *September*, One Thousand Seven Hundred and Ten, *Scotland* shall not be charged therewith for Coals, Culm and Cynders consumed there, but shall be charged with the same Duties as in *England* for all Coals, Culm and Cynders not consumed in *Scotland*.

XIII. That during the Continuance of the Duty payable in *England* on Malt, which determines the the Twenty Fourth Day of *June*, One Thousand Seven Hundred and Seven, *Scotland* shall not be charged with that Duty.

XIV. That the Kingdom of *Scotland* be not charged with any other Duties laid on by the Parliament of *England* before the Union, except those consented to in this Treaty; in regard it is agreed, That all necessary Provision shall be made by the Parliament of *Scotland*, for the publick Charge and Service of this Kingdom, for the Year One Thousand Seven Hundred and Seven, providing nevertheless, That if the Parliament of *England* shall think fit to lay any further Impositions, by way of Custom, or such Excises, with which, by Virtue of this Treaty, *Scotland*

*land* is to be charg'd equally with *England*; in such case, *Scotland* shall be liable to the same Customs and Excises, and have an Equivalent to be settled, by the Parliament of *Great-Britain*, with this further Provision, *That any Malt so be made and consumed in that part of the United Kingdom now called Scotland, shall not be charged with any Imposition on Malt during this War.* And seeing it cannot be supposed that the Parliament of *Great-Britain* will ever lay any sorts of Burdens upon the United Kingdom but what they shall find of necessity, at that time, for the Preservation and Good of the Whole; and with due Regard to the Circumstances and Abilities of every part of the United Kingdom; therefore, *It is agreed*, that there be upon further Exemption insisted on for any part of the United Kingdom; but that the Consideration of any Exemptions beyond what is already agreed on in this Treaty, shall be left to the Determination of the Parliament of *Great Britain*.

XV. That whereas by the Terms of this Treaty, the Subjects of *Scotland* for preserving an Equality of Trade throughout the united Kingdom, will be liable to several Customs and Excises now payable in *England*, which will be applicable towards Payment of the Debts of *England*, contracted before the Union; *It is agreed*, That *Scotland* shall have an Equivalent for what the Subjects thereof shall be so charg'd, towards payment of the said Debts of *England*, in all Particulars whatsoever, in manner following, *viz.* That before the Union of the said Kingdoms, the Sum of three hundred, ninety eight thousand, and eighty five Pounds ten Shillings, be granted to her Majesty by the Parliament of *England*, for the Uses after-mention'd, being the Equivalent, to be answer'd to *Scotland*, for such parts of the said Customs, and Excises upon all exciseable Liquors, with which that Kingdom is to be charg'd upon the Union, as will be applicable to the Payment of the said Debts of *England*, according to the Proportions which the present Customs in *Scotland*, being thirty thousand Pounds *per Annum*, do bear to the Customs in *England*; computed at one Million, three hundred forty one thousand, five hundred and fifty nine Pounds *per Annum*: And which the present Excises on exciseable Liquors in *Scotland*, being thirty three thou-

and five hundred Pounds *per Annum*, do bear to the Excises on excisable Liquors in *England*, computed at Nine hundred, forty seven thousand, six hundred and two Pounds *per Annum*; which Sum of three hundred, ninety eight thousand, eighty five Poundsten Shillings, shall be due, and payable from the time of the *Union*: And in regard, that after the *Union*, *Scotland* becoming liable to the same Customs and Duties payable on Import and Export, and to the same Excises on all Excisable Liquors, as in *England*, as well upon that account, as upon the account of the Increase of Trade and People, (which will be the happy Consequence of the *Union*) the said Revenues will much improve beyond the before-mention'd Annual Values thereof, of which no present Estimate can be made; yet, nevertheless, for the Reasons aforesaid, there ought to be a proportionable Equivalent answer'd to *Scotland*; It is agreed, That after the *Union*, there shall be an Account kept of the said Duties arising in *Scotland*, to the end it may appear, what ought to be answer'd to *Scotland*; as an Equivalent for such Proportion of the said Increase, as shall be applicable to the Payment of the Debts of *England*. And for the further, and more effectual answering the several Ends hereafter mention'd, it is agreed, That, from and after the *Union*, the whole Increase of the Revenues of Customs, and Duties on Import and Export, and Excises upon Excisable Liquors in *Scotland*, over and above the Annual Produce of the said respective Duties, as above stated, shall go, and be apply'd, for the Term of Seven Years, to the Uses hereafter-mention'd; And that upon the said Account there shall be answer'd to *Scotland*, annually, from the end of seven Years after the *Union*, an Equivalent in proportion to such part of the said Increase, as shall be applicable to the Debts of *England*: And generally, that an Equivalent shall be answer'd to *Scotland* for such Parts of the *English* Debts as *Scotland* may hereafter become liable to pay by reason of the *Union*, other than such for which Appropriations have been made by Parliament in *England*, of the Customs or other Duties on Export and Import, Excises, on all Excisable Liquors In respect of which Debts, Equivalents are herein before provided. And as for the Uses to which the said Sum of three hundred ninety eight thousand eighty five Pounds ten Shillings

to be granted as aforesaid, and all other Moneys which are to be answer'd or allow'd to Scotland as said is, are to be apply'd, It is Agreed, That in the first place out of the aforesaid Sum, what Consideration shall be found necessary to be had for any Losses which private Persons may sustain, by reducing the Coin of Scotland, to the Standard and Value of the Coin of England, may be made good. In the next place, that the Capital Stock, or Fund of the African and Indian Company of Scotland, advanced together with the Interest for the said Capital Stock after the Rate of 5 per Cent. per Annum, from the respective Times of the Payment thereof, shall be payed; upon Payment of which Capital Stock and Interest, It is agreed, The said Company be dissolved and cease; and also, that from the time of passing the Act of Parliament in England for raising the said Sum of three hundred ninety eight thousand, eighty five. Pound, ten Shillings, the said Company shall neither trade, nor grant License to trade, providing, That if the said Stock and Interest shall not be payed in Twelve Months after the Commencement of the Union, that then the said Company may from thence forward Trade, or give License to Trade, until the said whole Capital Stock and Interest shall be paid. And as to the Overplus of the said Sum of Three Hundred Ninety Eight Thousand Eighty Five Pound Ten Shillings, after Payment of what Consideration shall be had for Losses, in repairing the Coin, and paying the said Capital Stock and Interest; and also the whole Encrease of the said Revenues of Customs, Duties and Excises, above the present Value, which shall arise in Scotland, during the said Term of Seven Years, together with the Equivalent which shall become due, upon the Improvement thereof in Scotland after the said Term of Seven Years: And also, as to all other Sums, which, according to the Agreements aforesaid, may become payable to Scotland, by way of Equivalent, for what that Kingdom shall hereafter become liable, towards Payment of the Debts of England; It is agreed, That the same may be applied in the manner following, viz. That all the Publick Debts of the Kingdom of Scotland, as shall be adjusted by this present Parliament, shall be payed: And that Two Thousand Pounds per Annum for the Space of Seven Years, shall be applied to-

*wards encouraging and promoting the Manufacture of Course Wool within those Shires which produce the W<sup>te</sup>.: and that the first Two Thousand Pounds Sterling be paid at Martinmas next, and so yearly at Martinmas, during the space aforesaid. And afterwards the same shall be wholly applied towards the encouraging and promoting the Fisheries, and such other Manufacturies and Improvements in Scotland, as may most conduce to the general Good of the united Kingdom. And it is agreed, That Her Majesty be empowered to appoint Commissioners, who shall be accountable to the Parliament of Great Britain, for disposing the said Sum of Three Hundred, Ninety Eight Thousand and Eighty Five Pounds Ten Shillings; and all other Monies which shall arise to Scotland, upon the Agreements aforesaid, to the Purposes before mention'd: Which Commissioners shall be empowered to call for, Receive, and Dispose of the said Monies in manner aforesaid; and to inspect the Books of the several Collectors of the said Revenues, and of all other Duties, from whence an Equivalent may arise, and that the Collectors and Managers of the said Revenues and Duties, be obliged to give to the said Commissioners, subscrib'd Authentick Abbreviates of the Produce of such Revenues and Duties arising in their respective Districts: And that the said Commissioners shall have their Office within the Limits of Scotland, and shall in such Office keep Books, containing Accounts of the Amount of the Equivalents, and how the same shall have been disposed of from Time to Time; which may be inspected by any of the Subjects who shall desire the same.*

XVI. That from and after the Union, the Coin shall be of the same Standard and Value throughout the United Kingdom, as now in England, and a Mint shall be continued in Scotland, under the same Rules as the Mint in England, and the present Officers of the Mint continued, subject to such Regulations and Alterations as Her Majesty, Her Heirs or Successors, or the Parliament of Great Britain, shall think fit.

XVII. That from and after the Union, the same Weights and Measures shall be used throughout the United Kingdom, as are now Established in England; and Standards of Weights and Measures shall be kept by those Burghs in Scotland, to whom the  
keep.

keeping the Standards of Weights and Measures, now in use there, does of special Right belong. All which Standards shall be sent down to such respective Burghs from the Standards kept in the Exchequer at *Westminster*, subject nevertheless to such Regulations as the Parliament of *Great Britain* shall think fit.

XVIII. That the Laws concerning Regulation of Trade, Customs, and such Excises, to which *Scotland* is, by virtue of this Treaty, to be liable, be the same in *Scotland*, from and after the Union, as in *England*; and that all other Laws in Use within the Kingdom of *Scotland*, do after the Union, and notwithstanding thereof, remain in the same Force as before, (except such as are contrary to, or inconsistent with this Treaty) but alterable by the Parliament of *Great Britain*, with this Difference betwixt the Laws concerning Publick Right, Policy, and Civil Government, and those which concern Private Right; That the Laws which concern Publick Right, Policy, and Civil Government, may be made the same throughout the whole United Kingdom; but that no Alteration be made in Laws which concern Private Right, except for evident Utility of the Subjects within *Scotland*.

XIX. That the Court of Session, or College of Justice, do after the Union, and notwithstanding thereof, remain in all time coming within *Scotland*, as it is now constituted by the Laws of that Kingdom, and with the same Authority and Privileges as before the Union, subject nevertheless to such Regulations for the better Administration of Justice, as shall be made by the Parliament of *Great Britain*; and that hereafter none shall be named by Her Majesty and her Royal Successors, to be ordinary Lords of Session, but such who have serv'd in the Colledge of Justice as Advocates, or Principal Clerks of Session for the Space of Five Years; or as Writers to the Signet, for the Space of Ten Years; with this Provision, that no Writer to the Signet be capable to be admitted a Lord of the Session, unless he undergo a private and publick Trial on the Civil Law before the Faculty of Advocates, and be found by them qualify'd for the said Office, two Years before he be nam'd to be a Lord of the Session: Yet so, as the Qualification made, or to be made, for Capacitating Persons to be named Ordinary Lords of Session,

may be altered by the Parliament of Great-Britain. And that the Court of Justiciary, do also, after the Union, and notwithstanding thereof, remain in all time coming within Scotland, as it is now constituted by the Laws of that Kingdom, and with the same Authority and Privileges as before the Union, subject nevertheless to such Regulations as shall be made by the Parliament of Great-Britain, and without prejudice of other Rights of Justiciary; And that all Admiralty Jurisdictions be under the Lord High-Admiral, or Commissioners for the Admiralty of Great-Britain, for the time being; And that the Court of Admiralty, now Establish'd in Scotland, be continued, and that all Reviews, Reductions, or Suspensions, of the Sentences in Maritime Cases, competent to the Jurisdiction of that Court, remain in the same manner after the Union, as now in Scotland, until the Parliament of Great-Britain shall make such Regulations and Alterations, as shall be judg'd Expedient for the whole United Kingdom, to as there be always continued in Scotland, a Court of Admiralty such as in England, for Determination of all Maritime Cases relating to Private Rights in Scotland, competent to the Jurisdiction of the Admiralty Court, subject nevertheless to such Regulations and Alterations, as shall be thought proper to be made by the Parliament of Great-Britain; And that the Heretable Rights of Admiralty and Vice-Admiralties in Scotland, be Reserved to the Respective Proprietors as Rights of Property, subject nevertheless as to the manner of Exercising such Heretable Rights, to such Regulations and Alterations, as shall be thought proper to be made by the Parliament of Great-Britain; and that all other Courts now in Being within the Kingdom of Scotland do remain, but subject to Alterations by the Parliament of Great-Britain; And that all inferior Courts within the said Limits do remain Subordinate, as they are now to the Supream Courts of Justice within the same in all time coming; And that no Causes in Scotland be Cognoscable by the Courts of Chancery, Exchequer-Bench, Common-Pleas, or any other Court in His Majesty's High-Court of Justice; And that the said Courts, or any other of the like nature, after the Union shall have Power to Cognosce, Review, or Alter the Sentences of the Judicatures within Scotland.



**Execution of the same.** And that there be a Court of *Exchequer* in *Scotland*, after the *Union*, for Deciding Questions concerning the Revenues of Customs and Excises; and, having the same Power and Authority in such Cases, as the Court of *Exchequer* has in *England*; and that the said Court of *Exchequer* in *Scotland* have Power of Passing Signatures, Gifts, Tutories, and in other Things, as the Court of *Exchequer* at present in *Scotland* hath; And that the Court of *Exchequer* that now is in *Scotland*, do remain, until a new Court of *Exchequer* be settled by the Parliament of *Great Britain* in *Scotland* after the *Union*; And that, after the *Union*, the Queen's Majesty, and Her Royal Successors, may continue a Privy-Council in *Scotland*, for preserving the publick Peace and Order, until the Parliament of *Great Britain* shall think fit to alter it, or establish any other effectual Method for that End.

XX. That all Heretable Offices, Superiorities, Heretable Jurisdictions, Offices for Life, and Jurisdictions for Life, be reserved to the Owners thereof, as Rights of Property, in the same manner as they are now enjoyed by the Laws of *Scotland*, notwithstanding this Treaty.

XXI. That the Rights and Privileges of the Royal Burroughs in *Scotland* as they now are, do remain intire after the *Union*, and notwithstanding thereof.

XXII. That by virtue of this Treaty of the Peers of *Scotland*, at the time of the *Union*, Sixteen shall be the Number to Sit and Vote in the House of Lords, and Forty-five the Number of the Representatives of *Scotland* in the House of Commons of the Parliament of *Great Britain*; And that when Her Majesty, Her Heirs or Successors, shall declare Her or their Pleasure, for holding the first or any subsequent Parliament of *Great Britain*, until the Parliament of *Great Britain* shall make further Provision therein, a Writ do issue under the Great Seal of the United Kingdom, directed to the Privy-Council of *Scotland*, commanding them to cause Sixteen Peers, who are to sit in the House of Lords, to be summoned to Parliament, and Forty-five Members to be Elected to sit in the House of Commons of the Parliament of *Great Britain*, according to the Agreement in this Treaty, in such manner as by an Act of this present Session of the Parliament

Parliament of Scotland is, or shall be fixed; *Which* *is hereby declared to be as Valid as if it were a part of* *and Ingressed in this Treaty:* And that the Names of the Persons so summon'd and elected shall be returned by the Privy-Council of Scotland, into the Court from whence the said Writ did Issue. And that if Her Majesty, on, or before the first Day of *May* next, on which Day the *Union* is to take Place, shall declare under the Great Seal of *England*, that it is Expedient, that the Lords of Parliament of *England*, and Commons of the present Parliament of *England*, should be the Members of the respective Houses of the first Parliament of *Great Britain*, for, and on the part of *England*, then the said Lords of Parliament of *England*, and Commons of the present Parliament of *England*, shall be the Members of the respective Houses of the first Parliament of *Great Britain*, for, and on the part of *England*. And Her Majesty may, by Her Royal Proclamation, under the Great Seal of *Great Britain*, appoint the said first Parliament of *Great Britain*, to meet at such Time and Place as Her Majesty shall think fit, which time shall not be less than fifty Days after the Date of such Proclamation; and the Time and Place of the Meeting of such Parliament being so appointed, a Writ shall be immediately issued under the Great Seal of *Great Britain*, directed to the Privy-Council of Scotland, for the Summoning the Sixteen Peers, and for electing Forty Five Members, by whom Scotland is to be represented in the Parliament of *Great Britain*: And the Lords of Parliament of *England*, and the Sixteen Peers of Scotland, such Sixteen Peers being summoned and return'd in the manner agreed in this Treaty; And the Members of the House of Commons of the said Parliament of *England*, and the Forty Five Members for Scotland, such Forty Five Members being elected and return'd in the manner agreed in this Treaty, shall assemble and meet respectively in their respective Houses of the Parliament of *Great Britain*, at such Time and Place as shall be so appointed by Her Majesty, and shall be the two Houses of the first Parliament of *Great Britain*, and that Parliament may continue for such time only as the present Parliament of *England* might have continued, if the *Union* of the two Kingdoms had not been made,

made, unless sooner dissolved by Her Majesty; And that every one of the Lords of Parliament of Great Britain, and every Member of the House of Commons of the Parliament of Great Britain in the First, and all succeeding Parliaments of Great Britain, until the Parliament of Great Britain shall otherwise direct, shall take the respective Oaths appointed to be taken instead of the Oaths of Allegiance and Supremacy, by an Act of Parliament made in England, in the First Year of the Reign of the late King William and Queen Mary, Entituled, *An Act for the Abrogating of the Oaths of Supremacy and Allegiance, and Appointing other Oaths*; and make, subscribe, and audibly repeat the Declaration mentioned in an Act of Parliament made in England in the Thirtieth Year of the Reign of King Charles the Second, Entituled, *An Act for the more effectual preserving the King's Person and Government, by disabling Papists from sitting in either House of Parliament*; and shall take and subscribe the Oath mentioned in an Act of Parliament made in England, in the First Year of Her Majesty's Reign, Entituled, *An Act to declare the Alterations in the Oath appointed to be taken*; the Act, Entituled, *An Act for the further Security of His Majesty's Person, and the Succession of the Crown in the Protestant Line, and for Extinguishing the Hopes of the pretended Prince of Wales, and all other Pretenders, and their open and secret Abettors, and for the declaring the Association, to be determined at such Time, and in such Manner, as the Members of both Houses of Parliament of England are by the said Respective Acts, directed to Take, Make, and Subscribe the same, upon the Penalties and Disabilities in the said Respective Acts Contained. And it is declar'd and Agreed, That these Words, This Realm, The Crown of this Realm, And the Queen of this Realm, mentioned in the Oaths and Declaration contained in the aforesaid Acts, which were intended to signify the Crown and Realm of England, shall be understood of the Crown and Realm of Great Britain; and that in that Sense, the said Oaths and Declaration be taken and subscribed by the Members of both Houses of the Parliament of Great Britain.*

XXIII. That the aforesaid Sixteen Peers of Scotland, mentioned in the last preceding Article, to sit in the House of Lords of the Parliament of Great Britain, shall

shall have all Privileges of Parliament, which the Peers of *England* now have, and which they, or any Peers of *Great-Britain*, shall have after the Union; and particularly the Right of sitting upon the Tryals of Peers: And in case of the Tryal of any Peer, in time of Adjournment or Prorogation of Parliament, the said Sixteen Peers shall be summon'd in the same manner, and have the same Powers and Privileges at such Tryals, as any other Peers of *Great-Britain*: And that, in case any Tryals of Peers shall hereafter happen, when there is no Parliament in being, the Sixteen Peers of *Scotland*, who sat in the last preceding Parliament, shall be summon'd in the same manner, and have the same Powers and Privileges at such Tryals, as any other Peers of *Great-Britain*; And that all Peers of *Scotland*, and their Successors to their Honours and Dignities, shall, from and after the Union, be Peers of *Great-Britain*, and have Rank and Precedency next, and immediately after the Peers of the like Orders and Degrees in *England* at the time of the Union, and before all Peers of *Great-Britain*, of the like Orders and Degrees who may be Created after the Union, and shall be try'd as Peers of *Great-Britain*, and shall enjoy all Privileges of Peers as fully as the Peers of *England* do now, or as they or any other Peers of *Great-Britain* may hereafter enjoy the same, except the Right and Privilege of sitting in the House of Lords, and the Privileges depending thereon, and particularly the Right of sitting upon the Tryals of Peers.

XXIV. That from and after the Union, there be one Great Seal for the United Kingdom of *Great-Britain*, which shall be different from the Great Seal now us'd in either Kingdom; and that the quartering the Arms, and the Rank and Precedency of the *Lion King of Arms of the Kingdom of Scotland*, as may best suite the Union, be left to Her Majesty: And that in the mean time, the Great Seal of *England* be us'd as the Great Seal of the United Kingdom; and that the Great Seal of the United Kingdom, be us'd for sealing Writs to Elect and Summon the Parliament of *Great-Britain*, and for sealing all Treaties with Foreign Princes and States, and all publick Acts, Instruments, and Orders of State, which concern the whole United Kingdom, and in all other

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Matters relating to *England*, as the Great Seal of *England* is now us'd ; and that a Seal in *Scotland* after the Union be always kept, and made use of in all things relating to private Rights or Grants, which have usually passed the Great Seal of *Scotland*, and which only concern Offices, Grants, Commissions, and private Rights within that Kingdom : And that until such Seal shall be appointed by Her Majesty, the present Great Seal of *Scotland* shall be used for such Purposes : And that the Privy-Seal, Signet-Cassett, Signet of the Justiciary Court, Quarter-Seal, and Seals of Courts now used in *Scotland* be continued : But that the said Seals be altered and adapted to the State of the Union, as Her Majesty shall think fit ; and the said Seals, and all of them, and the Keepers of them, shall be subject to such Regulations as the Parliament of Great-Britain shall hereafter make : And that the Crown, Scepter, and Sword of State, the Records of Parliaments, and all other Records, Rolls and Registers whatsoever, both Publick and Private, General and Particular, and Manuscripts thereof, continue to be kept as they are within that part of the United Kingdom now called *Scotland* ; and that they shall so remain in all time coming, notwithstanding of the Union.

KXV. That all Laws and Statutes in either Kingdom, so far as they are contrary to, or inconsistent with the Terms of these Articles, or any of them, shall from and after the Union cease and become void, and shall be so declar'd to be, by the respective Parliaments of the said Kingdoms.

*The Preamble to the Articles.*

THE Estates of Parliament considering that the Articles of Union of the Kingdoms of *Scotland* and *England*, were agreed on the Twenty Second of July, 1706 Years, by the Commissioners nominated on behalf of this Kingdom, under Her Majesty's Great Seal of this Kingdom of *Scotland*, bearing date the Twenty Seventh of February last past, in pursuance of the Fourth Act of the Third Session of this Parliament, and the Commissioners nominated on behalf of the Kingdom of *England*, under Her Majesty's Great Seal of *England*, bearing date at Westminster the Tenth Day of April last, in pursuance of an Act of Parliament made in *England* the  
Third

*Third Year of Her Majesty's Reign, to Treat of, and concerning an Union of the said Kingdoms. Which Articles were in all Humility presented to Her Majesty upon the Twenty Third of the said Month, of July, and were recommended to this Parliament by Her Majesty's Royal Letter of the date of the Thirty first Day of July, 1706. Year 1. And that the said Estates of Parliament have agreed to, and approved of the said Articles of Union, with some Additions and Explanations, as is contained in the Articles hereafter inserted. And sithyke Her Majesty, with Advice, and Consent of the Estates of Parliament, resolving to Establish the Protestant Religion, and Presbyterian Church Government within this Kingdom, has past in this Session of Parliament, an Act, Entitled, An Act for Securing the Protestant Religion, and Presbyterian Church Government, which by the Tenor whereof is appointed to be inserted in any Act Ratifying the Treaty; and expressly declared to be a Fundamental and Essential Condition of the said Treaty or Union in all Time coming. Therefore Her Majesty, with Advice and Consent of the Estates of Parliament, in Fortification of the Approbation of the Articles as above-mentioned, And for the further and better Establishment of the same, upon full and mature Deliberation upon the aforesaid Articles of Union; and Act of Parliament, doth Ratify, Approve, and Confirm the same with the Additions and Explanations contained in the said Articles, in manner, and under the Provision after-mentioned, whereof the Tenor follows.*

*The Act for Securing the Protestant Religion, and Presbyterian Church Government: With the Statutory Act.*

**O**UR Sovereign Lady, and the Estates of Parliament, considering, That by the late Act of Parliament for a Treaty with England for an Union of Both Kingdoms, it is provided, That the Commissioners for that Treaty, should not treat of, or concerning any Alteration of the Worship, Discipline, and Government of the Church of this Kingdom, as now by Law Established; Which Treaty being now reported to the Parliament; and it being reasonable and necessary, that the true Pro-

testant Religion, as presently professed within this Kingdom, with the Worship, Discipline, and Government of this Church, should be effectually, and unalterably secured; Therefore Her Majesty, with Advice and Consent of the said Estates of Parliament, doth hereby Establish and Confirm the said true Protestant Religion, and the Worship, Discipline and Government of this Church, to continue without any Alteration to the People of this Land in all succeeding Generations: And more especially Her Majesty, with Advice and Consent foresaid, Ratifies, Approves, and for ever Confirms the Fifth Act of the First Parliament of King *William and Queen Mary*, entituled, *An Act ratifying the Confession of Faith, and settling Presbyterian Church Government, with the hail other Acts of Parliament relating thereto, in prosecution of the Declaration of the Estates of this Kingdom, containing the Claim of Right, bearing date the Eleventh of April, 1689.* And Her Majesty, with Advice and Consent foresaid, expressly provides and declares, that the foresaid true Protestant Religion, contained in the above-mentioned Confession of Faith, with the Form and Purity of Worship presently in use within this Church; and its Presbyterian Church Government and Discipline; that is to say, The Government of the Church by Kirk Sessions, Presbyteries, Provincial Synods, and General Assemblies, all Established by the foresaid Acts of Parliament, pursuant to the Claim of Right, shall remain and continue unalterable; and that the said Presbyterian Government shall be the only Government of the Church within the Kingdom of *Scotland*. And further, for the greater Security of the foresaid Protestant Religion, and of the Worship, Discipline, and Government of this Church, as above-established, Her Majesty, with Advice and Consent foresaid, Statutes and Enacts, that the Universities and Colleges of *St. Andrews, Glasgow, Aberdeen and Edinburgh*, as now established by Law, shall continue within this Kingdom for ever: And that in all time coming, no Professors, Principals, Regents, Masters, or others, bearing Office in any University College or School within this Kingdom, be capable, or be admitted, or allowed to continue in the Exercise of their said Functions

W<sup>m</sup> tions, but such as shall own and acknowledge the Civil Government in manner prescribed, or to be prescribed by the Acts of Parliament: As also that before, or at their Admissions, they do, and shall acknowledge, and profess, and shall subscribe to the foresaid Confession of Faith, as the Confession of their Faith; and that they will practise and conform themselves to the Worship presently in use in this Church, and submit themselves to the Government and Discipline thereof; and never endeavour directly or indirectly the Prejudice or Subversion of the same; and that before the respective Presbyteries of their Bounds, by wharsover Gift, Presentation, or Provision they may be thereto provided.

And further, Her Majesty, with Advice foresaid, expressly Declares and Statutes, That none of the Subjects of this Kingdom shall be liable to, but all and every one of them for ever free of any Oath, Test, or Subscription, within this Kingdom, contrary to, or inconsistent with the foresaid true Protestant Religion, and Presbyterian Church Government, Worship and Discipline, as above established: And that the same within the Bounds of this Church and Kingdom, shall never be imposed upon, or required of them in any sort.

And lastly, That after the Decease of her present Majesty, (whom God long preserve) the Sovereign succeeding to her in the Royal Government of the Kingdom of Great Britain, shall in all time coming, at his, or her Accession to the Crown, Swear and Subscribe, That they shall inviolably maintain and preserve the foresaid Settlement of the true Protestant Religion, with the Government, Worship, Discipline, Rights and Privileges of this Church, as above established by the Laws of this Kingdom, in prosecution of the Claim of Right: And it is hereby Statuted and Ordained, That this Act of Parliament, with the Establishment therein contained, shall be held and observed in all time coming, as a Fundamental and Essential Condition of any Treaty or Union, to be concluded betwixt the Two Kingdoms, without any Alteration thereof, or Derogation thereto, in any sort for ever: As also, That this Act of Parliament and Settlement therein contained, shall be inserted and repeated in any Act of Parlia:



Parliament that shall pass for agreeing and concluding the, foresaid Treaty, or Union betwixt the two Kingdoms; and that the same shall be therein expressly declared to be a Fundamental and Essential Condition of the said Treaty of Union in all time coming.

*The Conclusion, or Statutory Act.*

**W**HICH Articles of Union, and Act immediately above-written, her Majesty with Advice and Consent foresaid, Statutes, Enacts and Ordains, to be and continue in all time coming, the sure and perpetual Foundation of one compleat and intire Union of the two Kingdoms of *Scotland* and *England*, under this expresse Condition and Provision, that this Approbation and Ratification of the foresaid Articles and Act shall be no ways binding on this Kingdom, until the said Articles and Act be Ratified, Approven and Confirmed by her Majesty, with, and by the Authority of the Parliament of *England*, as they are now agreed to, Approven and Confirmed by her Majesty, with, and by the Authority of the Parliament of *Scotland*; Declaring nevertheless, That the Parliament of *England* may provide for the Security of the Church of *England*, as they think expedient to take place within the Bounds of the said Kingdom of *England*, and not derogating from the Security above-provided, for establishing of the Church of *Scotland* within the Bounds of this Kingdom: As also the said Parliament of *England* may extend the Additions, and other Provisions contained in the Articles of Union as above-inserted, in Favours of the Subjects of *Scotland*, to and in Favours of the Subjects of *England*, which shall not suspend or derogare from the Force and effect of this present Ratification, but shall be understood as herein included without the necessity of any new Ratification in the Parliament of *Scotland*.

And lastly, her Majesty Enacts and Declares, That all Laws and Statutes in this Kingdom, so far as they are contrary to, or inconsistent with the Terms of these Articles as above-mentioned, shall, from and after the Union, cease and become void.

## Numb. XIII.

*An Act Pass'd in the Parliament of Scotland, for Electing the Sixteen Peers, and Forty five Commoners, to Represent Scotland in the Parliament of Great Britain.*

**A**T *Edinburgh* the 5th. Day of February, 1707. Our Sovereign Lady considering, That by the Twenty Second Article of the Treaty of Union, as the same is ratified by an Act past in this Session of Parliament, upon the 16th of January last, It is provided, That by Virtue of the said Treaty of the Peers of *Scotland*, at the time of the Union, Sixteen shall be the Number to sit and vote in the House of Lords; and Forty five, the Number of the Representatives of *Scotland*, in the House of Commons of the Parliament of *Great-Britain*; And that the said sixteen Peers, and Forty five Members in the House of Commons, be named and chosen in such manner as by a subsequent Act in this present Session of Parliament in *Scotland* should be settled. Which Act is thereby declared to be as valid, as if it were a part of, and engrossed in the said Treaty. Therefore Her Majesty, with Advice and Consent of the Estates of Parliament, Statutes, Enacts and Ordains, that the said Sixteen Peers, who shall have Right to sit in the House of Peers in the Parliament of *Great Britain*, on the Part of *Scotland*, by Virtue of this Treaty, shall be named by the said Peers of *Scotland*, whom they represent their Heirs or Successors, to their Dignities and Honours, out of their own Number, and that by open Election and Plurality of Voices of the Peers present, and of the Proxies for such as shall be absent, the said Proxies being Peers, and producing a Mandate in Writing duly signed before Witnesses, and both the Constituent and Proxy being qualify'd according to Law: Declaring also, that such Peers as are absent, being qualified as aforesaid, may send to all such Meetings, Lists of the Peers whom they judge fittest, validly signed by the said absent Peers, which shall be reckoned in the same manner as if the Parties had been present, and given

given in the said List: And in case of the Death or Legal Incapacity of any of the said sixteen Peers, that the aforesaid Peers of *Scotland* shall 'nominate another of their own Number, in place of the said Peer or Peers, in manner before and after mention'd. And that of the said Forty five Representatives of *Scotland* in the House of Commons, in the Parliament of *Great-Britain*, Thirty shall be chosen by the Shires or Stewartries, and Fifteen by the Royal Burroughs, as follows, *viz.* One for every Shire and Stewartry, excepting the Shires of *Bute* and *Caithness*, which shall chuse one by turns, *Bute* having the first Election; The Shires of *Nairn* and *Cromarty*, which shall also chuse by turns, *Nairn* having the first Election. And in like manner the Shires of *Clackmannan* and *Kinross* shall chuse by Turns, *Clackmannan* having the first Election. And in case of the Death or legal Incapacity of any of the said Members from the respective Shires or Stewartries afore-mention'd, to sit in the House of Commons, it is enacted and ordain'd, That the Shire or Stewartry who elected the said Member, shall elect another Member in his Place: And that the said Fifteen Representatives for the Royal Burroughs be chosen as follows, *viz.* That the Town of *Edinburgh* shall have Right to elect and send one Member to the Parliament of *Great-Britain*; and that each of the other Burghs shall elect a Commissioner in the same manner as they are now in use, to elect Commissioners to the Parliament of *Scotland*, which Commissioners and Burghs (*Edinburgh* excepted) being divided in Fourteen Classes or Districts, shall meet at such Time, and Burghs within the respective Districts, as Her Majesty, her Heirs or Successors, shall appoint; and elect one for each District, *viz.* The Burghs of *Kirkwall*, *Week*, *Dornock*, *Dingwall* and *Tain*, One; the Burghs of *Forross*, *Inverness*, *Nairn* and *Forres*, One; the Burghs of *Elgine*, *Cullen*, *Banff*, *Inverury*, and *Kintore*, One; the Burghs of *Aberdeen*, *Bervie*, *Montross*, *Aberbrothock*, and *Brechin*, One; the Burghs of *Forfar*, *Perth*, *Dundee*, *Cowper*, and *St. Andrews*, One; the Burghs of *Cryll*, *Kilreany*, *Anstruther Easter*, *Anstruther Wester*, and *Pitenweem* One; the Burghs of *Dysart*, *Kirkaldy*, *Kinghorne* and *Brattisland*, One; the Burghs of *Inverkeathing*, *Dunfermlin*,

lin, Queensferry, Culross, and Sterling, One; the Burghs of Glasgow, Renfrew, Rutherglen, and Dumbarton, One; the Burghs of Haddington, Dunbar, North Berwick, Lauder, and Jedburgh, One; the Burghs of Selkirk, Peebles, Linlithgow, and Lanark, One; the Burghs of Dumfries, Sanquhar, Ayr, Lockhart, and Kirkcubright, One; the Burghs of Wigtown, New Galloway, Stranraer, and Whitburn, One; and the Burghs of Ayr, Ireving Roxburgh, Cambeltoun, and Levenary, One. And it is hereby declar'd and ordain'd, That where the Votes of the Commissioners for the said Burghs, met to chuse Representatives from the several Districts to the Parliament of Great Britain, shall be equal, in that case the President of the Meeting shall have a casting or decisive Vote, and that by and attour his Vote as a Commissioner from the Burgh from which he is sent; The Commissioners from the eldest Burgh presiding in the first Meeting, and the Commissioners from the other Burghs in their respective Districts presiding afterwards by turns, in the Order as the said Burghs are now called in the Rolls of the Parliament of Scotland: And in case that any of the said Fifteen Commissioners from Burghs shall decease or become legally incapable to sit in the House of Commons, then the Town of Edinburgh, or the District which chose the said Member, shall elect a Member in his or their place. It is always hereby expressly provided and declar'd, That none shall be capable to elect or be elected for any of the said Estates, but such as are 21 Years of Age compleat, and Protestant, excluding all Papists or such, who being suspected of Popery, and requir'd, refus'd to swear and subscribe the Formula contain'd in the Third Act made in the Eighth and Nine Sessions of King William's Parliament, entituled, *An Act for preventing the Growth of Popery*. And also declaring, That none shall be capable to Elect, or be elected, to represent a Shire or Burgh in the Parliament of Great Britain, for this part of the United Kingdom, except such are now capable by the Laws of this Kingdom, to elect, or be elected as Commissioners for Shires or Burghs to the Parliament of Scotland, And further, Her Majesty, with Advice and Consent foresaid, for the effectual and orderly Election of the Persons to be cho-

chosen to sit, vote, and serve in the respective Houses of the Parliament of *Great-Britain*, when Her Majesty, Her Heirs and Successors, shall declare her or their pleasure for holding the first or any subsequent Parliament of *Great Britain*, and when for that effect a Writ shall be issued out under the Great Seal of the United Kingdom, directed to the Privy Council of *Scotland*, conform to the said Twenty Second Article, Statutes, Enacts and Ordains, That until the Parliament of *Great-Britain* shall make further Provision therein, the said Writ shall contain a Warrant and Command to the said Privy Council, to issue out a Proclamation in Her Majesty's Name, requiring the Peers of *Scotland*, for the time, to meet and assemble at such time and place within *Scotland* as Her Majesty and Royal Successors shall think fit, to make Election of the said Sixteen Peers, and requiring the Lord Clerk Register, or two of the Clerks of Session, to attend all such Meetings, and to administer the Oaths that are or shall be by Law required, and to ask the Votes; and having made up the Lists in presence of the Meeting, to return the Names of the Sixteen Peers chosen (certify'd under the Subscription of the said Lord Clerk Register, Clerk or Clerks of Session attending) to the Clerk of the Privy Council of *Scotland*, and such like, requiring and ordaining the several Freeholders in the respective Shires and Stewartries, to meet and convene at the Head-Burghs of their several Shires and Stewartries, to elect their Commissioners, conform to the Order above set down, and ordaining the Clerks of the said Meetings immediately after the said Elections are over, respectively to return the Names of the Persons elected to the Clerks of the Privy Council. And lastly, Ordaining the City of *Edinburgh* to elect their Commissioner; and the other Royal Burroughs to elect each of them a Commissioner, as they have been in use to elect Commissioners to the Parliament, and to send the said respective Commissioners at such times, to such Burghs; within the respective Districts, as Her Majesty and Successors by such Proclamations shall appoint, requiring and ordaining the common Clerk of the respective Burghs, where such Election shall be appointed to be made, to attend the said Meet-

ings, and immediately after the Election to return the Name of the Person so elected (certify'd under his Hand) to the Clerk of Privy Council; to the end, that the Names of the Sixteen Peers, Thirty Commissioners for Shires, and Fifteen Commissioners for Burghs, being so returned to the Privy Council, may be returned to the Court from whence the Writ did issue under the Great Seal of the United Kingdom, conform to the said Twenty Second Article. And whereas by the said Twenty Second Article it is agreed, That if Her Majesty shall on or before the First Day of May next declare, That it is expedient the Lords and Commons of the present Parliament of *England*, shall be the Members of the respective Houses of the first Parliament of *Great Britain*, for, and on the part of *England*, they shall accordingly be the Members of the said respective Houses, for, and on the part of *England*: Her Majesty with Advice and Consent foresaid, in that Case only, doth hereby statute and ordain, That the Sixteen Peers, and Forty Five Commissioners for Shires and Burghs, who shall be chosen by the Peers, Barons and Burghs, respectively in this present Session of Parliament, and out of the Members thereof, in the same manner as Committees of Parliament are usually now chosen, shall be the Members of the respective Houses of the said first Parliament of *Great Britain*, for, and on the part of *Scotland*. Which Nomination and Election being certify'd by a Writ under the Lord Clerk Register's Hand, the Persons so nominated and elected shall have Right to sit and vote in the House of Lords, and in the House of Commons of the said first Parliament of *Great Britain*.

Numb. XIV.

*A Letter written by Monsieur de Chamillard, Secretary of State to the French King, to the Duke of Berwick Marshal of France, and Captain General of the French Forces in Castile, which was intercepted, Dec. 10. 1706.*

*Translated from the Copy Printed at Saragossa, By Authority.*

My Lord,

HAVING laid before the King your Excellency's Letter, of the 11th of November, His Majesty commands me to let you know how well satisfied he is with your Excellency's continued good Conduct, which he will always keep fresh in his Memory; and to return the following Answer to the several Particulars you mention. First, The greater Streights and Difficulties Things are brought to, the more ought to be your Excellency's Vigilance. For the ill Success of our Armies in *Flanders* and *Italy* hath obliged his Majesty to make Overtures of Peace not very agreeable to the Honour and Interest of *France*; But the Obstinacy of the Blinded Allies of the House of *Austria* makes them tenacious, so that They will not listen to any thing but the entire Restitution of the Pretended Rights of that House; and they lay hold of this Opportunity to revenge themselves of what they call Injuries done them, the Prosperity of this Crown; and to lessen its Power, endeavour to hinder our continued Successes, which they look upon as so many Chains prepared for the Liberties of *Europe*; and thus become regardless of the Reasonableness of the Terms offer'd. What Prejudice would it have been to *France*. to have dismembred *Spain*, and held the Ballance? But the Error committed in accepting the Crown of *Spain*, contrary to the Partition-Treaty, by means of which we had been the sole Arbitrators of *Europe* in Peace and War, hath given the Enemy another Opportunity. And now Experience shews, that his Majesty finds it impossible to stop the Rapidity of this Current; for nothing less will content them

' them than the total Ruin of *France*: And al-  
 ' it hath been represented to them from the *K*  
 ' What if the House of *Austria* should again  
 ' rive to its former Greatness, which then threaten  
 ' the Liberties of *Europe*, and which those Pow-  
 ' themselves were so Industrious to suppress, yet  
 ' now with so much Blindness help to elevate;  
 ' considering, if *France* be brought low, who shall  
 ' hold the Ballance? To which they reply, That  
 ' they shall be always ready to join with the Weaker  
 ' and bend their Force against the most Powerful;  
 ' and so put the Power into such a Ballance as shall  
 ' maintain the Peace and Liberty of *Europe*: And  
 ' therefore will not admit of any thing but the  
 ' Ruin of *France* and *Spain* by continuing the  
 ' War, or that *Spain* be given up by a Treaty of  
 ' Peace.

' In the Battle of *Flanders* was lost a most flourishing  
 ' Army, and a plentiful Country full of People,  
 ' which, with the great Contributions there, fa-  
 ' litated our Recruits: And what we have lost in this  
 ' Particular the Enemies have gained, and have  
 ' thereby rendred themselves capable of continuing  
 ' the War with less Charge to their Subjects, or at  
 ' least, to augment the Number of their Troops  
 ' under the Colours of a new Master; which will  
 ' oblige *France* to greater Expences, and to increase  
 ' its Armies, to defend it self; altho' almost impossi-  
 ' ble, without totally depopulating the Country.  
 ' And after all we can expect no other than an un-  
 ' happy War; our old Troops being wasted, and  
 ' our Armies now composed of forced Levies; and  
 ' as their Numbers increase, so will our Taxes less-  
 ' sen; besides these cannot come in Competition with  
 ' Veteran Troops, flush'd with the Glory of Con-  
 ' quest.

' The Theatre of the War on that side will be in  
 ' *Picardy*; which Province will be so embroiled,  
 ' that it will not be able to help any thing towards  
 ' the immense Charges of the Crown, which every  
 ' Day grow greater, and the Means less, for want of  
 ' Cultivating the Ground, Manufactures, and Trade;  
 ' Men being obliged to leave their Houses, and serve  
 ' in the War.



‘ The Consequences of the Battle in *Italy* are not less considerable: For there we have lost an Army, Garrisons, and Magazines; and it will be very difficult to recruit and pay an Army there: the Enemy having gained the flourishing State of *Milan*, and with it very large Contributions, with which their Army will be punctually paid; whereas before it cost the Emperor much Care and Application to subsist it: And the next Campaign they may carry the War into *Dauphine*, which will render that Province (as well as *Picardy*,) incapable of contributing towards our immense Charges: And it is very natural to believe, that the Flames now covered with Ashes in the *Cevennes* will burst out anew. These Considerations make it appear too plainly, that the Supporting of *Spain* may be the Ruin of *France*; and, to prevent this, the King hath resolved to hearken to the hard and insufferable Terms of Peace submitting to the Times, and hoping a better Conjunction may offer hereafter for the renewing his Pretensions.

‘ Whilst his Majesty’s Ministers are in Treaty it will be necessary to quit *Spain*, and that your Excellency use all Politick Artifices upon this Occasion; so that the Country may remain ruined, and not be in a Condition for many Years to think of any thing more than to repair its own Losses, and be incapable of defending it self alone: To which End your Excellency must concert, and be assisting with those that depend on *France*, so as that all the several Orders which compose the Politick Body of that Monarchy may be brought into Disorder, and to spend their Time in new modelling their Affairs,

‘ Your Excellency will be pleased to temporize with the Heads of the Religious Orders, feeding them with Hopes of Preferment to Ecclesiastical Dignities; so that they, buoy’d up with these Thoughts, may urge from the Pulpit and Confessionaries, that this is a War of Religion; and thus frighten inconsiderate People, whose Religious Dispositions will encline them to think it a lesser Evil to abandon their Houses, Estates, and the Care of their Families, out of their Zeal for Religion. And that these Ecclesiastical Ministers may

apply themselves with the great Efficacy, they must  
 be engaged by secret Gifts, and the Hopes of the  
 highest Dignities in their several Orders and of other  
 Preferments to such as are qualified: For by Expe-  
 rience we find that Apocryfal Papers strengthen  
 our Title, and our Interest, by publishing our good  
 Successes, and the Extortions of the Allies in the  
 Countries which they Conquer. Your Excellency  
 must order the Continuance of this Zeal; for  
 some out of their Affection, others to shew their  
 Parts, some to make an Interest at Court, some  
 for other Ends, will be engaged to publish such  
 Papers as your Excellency shall command. And  
 such Bishops as your Excellency knows to be en-  
 gaged by Affection, or otherwise in our Interest,  
 must not be left discouraged, but live in Hopes of  
 being made Cardinals; and therefore they and their  
 Dependents must vehemently press the specious Pre-  
 tence of Religion, which is so mixed with the Interest  
 of State, and these must use the same Methods as the  
 Prelates of the several Religious Orders, with all  
 the inferiour Ecclesiasticks depending on them. This  
 will affect the Ignorant Nobility and Blind Peo-  
 ple, who are much the greater Number, and com-  
 pose the Strength of the Kingdom, which must be  
 ruined.

The President of *Castile* must instruct all the Ma-  
 gistracy, in their several Stations and Countries, in  
 the aforegoing Maxims, gaining the Gentlemen of  
 the best Quality with Promises, (which must never  
 be wanting.) And, to make a shew of Reality, the  
 President of *Castile* must be careful to employ some  
 of them, which will make many more live in Ex-  
 pectation of being also employ'd: For the prefer-  
 ring of some at present will give greater Life to the  
 Hopes of the rest. But where you find any, who  
 by the Clearness of their Judgment, and their Expe-  
 rience in Business, shall discern any thing of this  
 Management, and talk of it, the Magistrates must  
 imprison them, seize their Papers, and confiscate  
 their Estates; taking Occasion, to discourse of the  
 Reason of their Imprisonment, and that it is very  
 just, even though their nearest Relations and best  
 Friends should sollicite their Liberty; and it must  
 be alledged, there were already such Proofs as a-  
 mounted

† mounted to a Conviction before the Prisoner was  
 † apprehended. If any Person of a considerable  
 † Estate shall be seiz'd for the abovesaid Reasons, he  
 † must be sent to *France*, where he shall not be denied  
 † Necessaries. This Method must be vigorously  
 † pursued; for the Truth introduces it self, as the  
 † Light, in every Crevice, and the Discourses of some  
 † may awaken others. The King's Affairs require  
 † more Obedience than Discretion; besides, the Im-  
 † prisoning of some will be a Terror to others: The  
 † Confiscation of their Estates will help much towards  
 † the great Expences in which *France* is engaged on  
 † every side. Your Excellency must send to this  
 † Kingdom all the Effects you can possibly, upon  
 † different Pretences, some to recruit Troops, others  
 † to buy Cloaths for Soldiers; undervaluing those  
 † made in *Spain*, as well in regard to their Quality  
 † as their Price. The Militia is another considera-  
 † ble Part of the State, and now more than ever, and  
 † therefore must be paid as punctually as the Soldiers,  
 † which will engage them not to desert; and they  
 † should be treated as Men of the same Nation and  
 † Religion, and allow'd all kind of Liberty, as well  
 † in their Winter-Quarters, and in those Places or  
 † Countries which adhere to the King, as in those  
 † which have declared for the Enemy when they  
 † shall take them. The Officers must be cherished,  
 † and paid as far as possible, that they may be con-  
 † tented; But as it is not Interest alone for which they  
 † serve, but Honour, and the Hopes of greater Posts  
 † and Preferments; these must for this Reason be  
 † made, out of those who are well affected, a good  
 † Number of Brigadiers, Major-Generals, Lieute-  
 † nant-Generals, and Officers of other Degrees:  
 † For others seeing these run, or rather fly, into  
 † Preferments, will hope to as Happy. And tho' the  
 † Promotion of so many Officers will render it im-  
 † possible to find a sufficient Fund in the whole World  
 † to pay them punctually, this will be remedied by  
 † permitting them to get what they can in their  
 † Quarters, and otherwise for their Subsistence: For  
 † this Proud Nation will be better satisfied with the  
 † Honour of their Employments, than with Money;  
 † besides, the Sobriety with which they are bred, will  
 † not make them think the worse of such a Multi-  
 † tude

‘tude of Officers. The Consequence will be, That  
 ‘when *Spain* must be left, there will remain so great  
 ‘a Number of Officers of all Ranks, that it will be  
 ‘impossible to employ them all; and when a regu-  
 ‘lar Government reforms or disbands them, there  
 ‘will be so many Complainants as there shall be  
 ‘Persons dispossessed of what they thought their just  
 ‘Right: And this will occasion a great many to re-  
 ‘main firm to the King’s Interest, in whom His Ma-  
 ‘jesty may always confide. Such other Artifices as  
 ‘may be proper are also to be used towards those  
 ‘Persons, who shall be removed from their Employ-  
 ‘ments.

‘Another Part of the State is Trade and Com-  
 ‘merce, by means of which Riches are brought to a  
 ‘Kingdom; and this is already sufficiently ruined  
 ‘by the continual Navigation of our Ships from the  
 ‘Ports of *France* with Manufactures from the first  
 ‘Hand, at low Rates, and underselling the *Spaniards*  
 ‘in the *West Indies*, who cannot sell so cheap with-  
 ‘out losing Part of their Principal; besides, the Vice-  
 ‘roys and Governors connive at and tolerate our  
 ‘Merchants to please the Court; and this in many  
 ‘Things which they don’t allow in those of their  
 ‘own Nation. The Privileges commanded to be gi-  
 ‘ven the *French* Merchants, in buying of Wools in  
 ‘*Castile*, facilitates their being sent to this Kingdom  
 ‘preferably to any other Country; and then the  
 ‘*Spaniards* find a great Conveniency in the Cheap-  
 ‘ness of our Manufactures.

‘And for a Conclusion of all, Monsieur du *Casse*  
 ‘hath Orders to bring the *Spanish Flota* to the Ports  
 ‘of *France*, where Reprisals will be made of all the  
 ‘Cargoes, under a Pretence of Satisfaction for the  
 ‘immense Charge this Crown hath been at to defend  
 ‘*Spain*.

‘It’s necessary that your Excellency give strict Or-  
 ‘ders to the Commissaries in the several Parts of  
 ‘*Spain*, to purchase all the Wrought Plate, Gold and  
 ‘Jewels, they can, altho’ at something more than  
 ‘their real Value; which will be saved by the low  
 ‘Value of the Specie in which they shall be paid for:  
 ‘And for this Purpose Orders are given that our  
 ‘Coin shall be current in all *Castile*, whither will be  
 ‘sent what shall be new coined of a low Alloy.

‘These

These are the Measures taken to accomplish the Ruins of *Spain*, by putting the *Spaniards* upon quarrelling among themselves; and when they shall come to be undeceived, it will be no Matter if the ancient Antipathy and Hatred of the two Nations be renew'd. Those who shall govern, for the future, must act as the Times will permit. In the mean time *Spain* will remain ruined, the Nobility and People dejected and brought low, and all the Degrees of that Monarchy confounded; particularly the Militia, by means of this infinite Number of new and unworthy Officers of all Ranks; the Commerce destroy'd, and the Seed of Discord sowed among those who sided with either Party; as hath been seen on the like Occasions, not only in this Kingdom, but in *Naples*, *Castile*, and *Portugal*.

Thus shall we draw the Substance out of *Spain* (since we are disappointed of making it a Province to *France*, and one of its Dependencies, with a Viceroy, only with a higher Title) and we shall reduce the *Spaniards* to so low a Condition that they shall not be able to help themselves, nor obstruct our Designs in other Parts of *Europe*. This is what the King commands me to signify to your Excellency, &c. I am always.

Charles (*by the Grace of God*) King of *Castilia*, of *Leon*, of *Arragon*, of the *Two Sicilies*, of *Jerusalem*, of *Navarre*, of *Granada*, of *Toledo*, of *Valencia*, of *Galicia*, of *Majorca*, of *Sevil*, of *Sardinia*, of *Cordoua*, of *Corfica*, of *Murcia*, of *Jaen*, of the *Algarves*, of *Algezira*, of *Gibraltar*, of the *Canary Islands*, of the *East and West-Indies*, *Islands and Terra-firma*, of the *Ocean-Sea*; *Arch-Duke* of *Austria*; *Duke* of *Burgundy*, of *Brabant* and *Milan*; *Earl* of *Augspurg*, of *Flanders*, *Tirol* and *Barcelona*; *Lord* of *Biscay*, and of *Molina*, &c.

It is very notorious to all *Europe*, with what Seditiousness the most August Emperor, my Lord

Lord and Father, (of Glorious Memory) maintained  
 to the last his Resolution, not to suffer the separating  
 from the Crown of *Spain* any of the Jewels of  
 which it is composed, at the Expence of the Blood  
 of so many valiant *Spaniards*. This same constant  
 Maxim hath been pursued by the Invincible Lord,  
 the Emperor my Brother, with the Vigour which  
 the happy Successes of his Arms have manifested;  
 in which I have concurred on my part, omitting  
 neither Fatigues, nor Diligence, whereby I might  
 contribute to so Glorious and Important an End, ex-  
 posing my self to the greatest Dangers; which being  
 so well known, I shall not mention here. Every  
 unbiassed and prudent Judge will plainly see, that  
 although this Enterprize be indeed advantagious to  
 the Interests of our most August House, no less  
 Benefit will accrue hereby to the whole Monarchy  
 of *Spain* in general, and every one of its Subjects  
 in particular, whom we, the *Austrian* Kings, have  
 always look'd upon more like our Children than  
 Subjects, without making any partial Distinction  
 of one from the other. On the contrary, the chief  
 Aim of the *French* in their Negotiations (though  
 cloath'd with different Colours) has been to extir-  
 pate the *Spaniards*, and to bury in Oblivion the  
 Memory of their Glorious Actions. *France* hath  
 never ceased to endeavour with the utmost Care  
 the adjusting of Peace by dividing this Monarchy,  
 and at this time doth solícite it with more Earnest-  
 ness than ever; for on the repeated ill Successes  
 which she hath had, and the late Overthrows in  
 the *Netherlands* and *Piedmont*, by which she lost  
*Flanders* and the State of *Milan*, she fears that if it  
 be not obtain'd before the Opening of the next  
 Campaign, the War will then be carried into her  
 own Country, together with those unavoidable Ca-  
 lamities under which Divine Justice hath brought  
 her Ambition. But our Allies with great Constancy  
 have always rejected those Proposals, truly  
 knowing the Poison that was hid in them, expecting  
 the good Success and Security of the Peace from no-  
 thing but the happy progresses of the War, and hoping  
 that God will continue his Assistance, as we have ex-  
 perienced his Divine Aid in such remarkable Victories  
 obtained by their Glorious Arms, and that I may

be put in Possession of the Monarchy, and *France* obliged by Force to a due Observance of the Treaties which shall be made, since Experience has taught that the Faith of Oaths is not sufficient to bind her. At the same time, the Subtility of the *French* perceiving they cannot destroy this Monarchy by the Means of a Partition (which is not hear-ken'd unto) endeavours to reduce it as low as they can by maintaining the War in *Spain*; so that this Kingdom, having lost its Strength and Power, may not (as formerly) obstruct their Great Designs; for on this firm Rock it is that the Waves have always been broken, with which their Ambition has endeavoured to drown the Liberties of *Europe*. To this end, how many false Suggestions and deceitful Reports have they spread abroad, as well of my being dead, as concerning Religion, which no body can be ignorant of; by these Scandalous Methods perverting the unwary *Spaniards*, and making them Instruments of the unhappy Ruin of their Country. But still they are in time to prevent so fatal a Blow to their own Honour and Interest, and not to suffer History to be stained with so foul a Blot, to the Disgrace of themselves and their Posterity. It is therefore most just, that whilst the *French* are endeavouring to tear this Monarchy in Pieces by their Foreign Negotiations, and by keeping up the Rage of War in the Heart of it, the *Spaniards* appear in its Defence; as not only Reasons of Policy, but even Natural Instinct, directs them that they unite firmly together, whereby they will be enabled to shake off the heavy Yolk of the *French*, and to drive out of *Spain* those ancient and implacable Rivals of their Glory.

The Motion of the *French* Troops to winter in *Castile*, in a Season so far advanced, leaving their convenient Quarters, is a plain Indication of their ill Designs: For upon any Event their Intention is to retire to *France*, with the remaining Treasure of *Spain*, colouring their Marches with plausible Pretences; so that when the *Spaniards* shall discover their ignominious Treatment by these Proceedings, there will be no time left for their Relief.

This Danger being so great, it is not easy to believe

lieve that there should be a *Spaniard* who will not join his Endeavours in this juncture to disperse such deceitful Guests, and to make them pay exemplarily for their Villany, in deceiving those that trusted in them, and delivered themselves into their Hands. It ought not to be forgotten what *France* practised with those of *Messina*; abandoning of them entirely, and leaving them to beg for Protection in most of the Courts of *Europe*: The same she will do by the *Spaniards*, if they do not open their Eyes in time to avoid it; nor will their Fortune be better than that of those unhappy People, for they ought not to expect that those who have endeavoured their Ruin in *Spain*, will afterwards treat them well in *France*, it being a great Error to forsake the Endearments of a Natural Mother, for the rough Treatment of a severe Step Mother; for Nature will not change. It is unnecessary to remind the *Spaniards* of the Violences they have experienced from the Government of the *French* in this unhappy time of the Duke of *Anjou's* Usurpation, since they are so visible, as well as the vain Chimeras the Enemy make use of to deceive them.

Every one must plainly see, how the *French* would hide their corrupt Designs with the Veil of Religion. For at the same time that they were procuring the Exirpation of the Catholick Religion in *Hungary* and *Transilvania*, and placing in those Dominions Protestant Princes, Exciting and Aiding those Rebels in a War (which no body can deny) was grounded on the pure Motive of Religion; who shall be so easy as to believe that Religion is their Motive in *Spain*, where their Pretences are so different? And tho', at the same time, they were carrying on the Negotiations at *Constantinople* to stir up the Arms of the *Turks* against the Empire, yet there was found more Truth in those Infidels than in the *French*, who have not been able with all their Perswasions to procure a Breach, nor the violating the Oath made for the Security of the last Treaty: So few Years have past, that our Christian Zeal cannot forget the happy Successes that attended the Glorious Arms of the Emperor, my Lord and Father, (of blessed Memory) penetrating into the *Ottoman* Dominions; so that there was  
good



' good Grounds to hope we should have seen the  
 ' most Glorious Standard of the Cross displayed on  
 ' the Walls of *Constantinople*; there having been no  
 ' such favourable juncture to Christendom since the  
 ' Foundation of the *Ottoman* Power, as then occurred,  
 ' for the reducing it to the lowest Ebb, had  
 ' not *France* so abruptly began a War with his Imperial Majesty upon Pretensions of the Dutchess of  
 ' *Orleans*, not being able to frame any of his own, even  
 ' with the help of his usual Equivocations.  
 ' This Fact is so notorious, that no body (though  
 ' very remote from Publick Affairs) but must have  
 ' heard it lamented, as a Misfortune to Christendom,  
 ' abhorring the Proceedings of the *French* in a Case  
 ' in which the Propagation of our Holy Catholick  
 ' Faith was so deeply concerned; and comparing the  
 ' Circumstances of such notorious Facts, (without  
 ' calling to mind many others more ancient and often  
 ' repeated) it appears plainly who it is that studies  
 ' and endeavours the Encrease of Religion, and who  
 ' hath most earnestly endeavoured its Prejudice.  
 ' Although the Reports that have been dispersed in  
 ' *Castile*, in *Gazettes* and *Manifestoes*, That I had  
 ' given Publick Churches to the *English* and *Dutch*,  
 ' for the Exercise of their Religion, are unworthy  
 ' of my Observation; yet this being a Point that  
 ' so much wounds the Zeal of a Catholick Prince,  
 ' (for which I ought so highly to value my self as  
 ' Son of that most August House, which hath been  
 ' an Example to the World in the maintaining at all  
 ' times the Purity of the Catholick Religion) I am  
 ' obliged to declare the Falsity of these Suggestions:  
 ' For that in *Catalonia*, *Aragon*, and *Valencia*, ever  
 ' since my Arrival, the Divine Worship hath been  
 ' observed with the same Reverence as was always  
 ' practised in these Religious Countries; the Troops  
 ' of my Allies observing so exact an Order and  
 ' Military Discipline; that there never hath been any  
 ' manner of Complaint or the least Irreverence towards  
 ' the Churches, or what is Sacred: and placing  
 ' at the Feet of Jesus Christ the Falsities which  
 ' have been dispersed on this Subject I protest, that  
 ' if I thought there would happen through my means  
 ' the least Detriment to our Holy Catholick Religion  
 ' to avoid it, I would not only renounce the Domini-  
 ' on

on of the Crown of *Spain*, but of the whole Universe; valuing more the happy Name of a Faithful and Beloved Son of the Church, than all the Crowns of the World.

My Allies in this War neither have had, nor have any other End, than to support with their Arms my Just and Clear Right to the Monarchy of *Spain*; and that *France*, with her Ambitious Designs, should not oppress the Liberties of *Europe*. This is their true Interest and Maxim; in which it appears to me, they proceed with so much Purity and Fairfulness, that as soon as ever it shall happen a Peace is concluded, they will immediately withdraw all their Troops out of *Spain*.

These plain Demonstrations I have thought fit to represent to the *Spaniards*, moved to it by the great Love I have for them, that they may awaken out of the unhappy Lethargy in which they have hitherto liv'd; and if they do it without delay, they will find in me the grateful Reception, which all my Subjects who have and do come over to me, have experienced; as the *Spanish* Officers, Civil and Military, who were in *Flanders* when those States were reduced to my Obedience, and under my Dominion, (I having commanded they should be maintained in the same Posts and Employments which at that time they enjoyed; ) as also many Officers, who, repenting them of their Error in serving the Duke of *Anjou*, have returned to their Duty in my Troops, have not only found among them the Degrees and Commands they had with the Enemy, but greater Advancements; which is notorious to all.

Every one may judge what a powerful Army I shall draw together on the arrival of the Troops which I suddenly expect on board the Fleet of my Allies; and if I meet with Opposition in my March to my Court of *Madrid*, I shall be obliged to lead them thither: From whence will result to the Kingdom of *Castile*, that inevitable Ruin that attends the Fate of the War, which my Compassion towards them inclines me to avoid; and this can be done by no other Means, than that the *Spaniards*, uniting to so glorious a Purpose, should break the infamous Chain of their Liberties, expelling out of *Spain* our common Enemy the *French*. And the  
Fleet

Fleets of *England* and *Holland* passing into *Italy* to support my good and faithful Subjects, whom the *French* Tyranny doth oppress in the Kingdoms of *Naples* and *Sicily*, we shall not only obtain a sudden Recovery of the whole Body of the Monarchy. but transfer the Theater of War into *France*. that her Provinces may suffer those Calamities her Policy hath endeavoured to continue in *Spain*, and that she may restore to this Monarchy all the unjust Usurpations she hath made upon it in the last Age; which I trust in God to effect, and that in order thereto I shall have the Assistance of the *Spaniards*, with that Zeal and Readiness which are suitable to their Interest: But if, on the contrary, slighting my Paternal and Pious Advice, they shall continue obstinate, I shall be justified to God and the World both, since there is nothing omitted on my Part to make them truly sensible; and themselves will be the Cause of the general Destruction of their Country, and their own Ruin; for proportionable to the Mercy I now offer, will be the Wrath which they shall experience in my just Anger. And as I shall dispence Rewards, Honours and Favours, to the Fidelity of those that have followed me; so will I punish those who do not separate themselves from the contrary Party. Given in *Valencia* the 22<sup>d</sup> of December, 1706.

I the KING. By Command of the King our Lord,

*Don Henrique Gunter.*

Both these Pieces were, by Order of the Privy-Council, printed by *M. Jones* in the *Savoy*.

## Numb. XV.

*The Representation and Petition of the Council of the State of the United Provinces to their High Mightinesses, prefix'd to the Lists and Estimate of the Number and Charge of the Forces judg'd necessary to be employ'd by that State, in the Year, 1707.*

High and Mighty Lords,      Hague, Oct. 30. 1706.

THE Council of State being in Duty bound to conform themselves to the Practice that has been all along observ'd ever since the Republick was establish'd, which is, when the Year is drawing to an end to make out a general List and Estimate of the Preparations and Charges, which the Circumstances of Times and Affairs may require the following Year, for the Security and Interest of the State, and for promoting the Welfare of their good Subjects; and to send a general Petition to the Provinces in the Union, for all those necessary Preparations and Charges; the said Council nor to be wanting to this their accusom'd Duty, have at this time deliberated and agreed sooner than usual on their said general Calculation and Petition; because the State being still engaged in a burthensom War against the Crown of France, and its Adherents, and the Campaign, tho' ended late this Year, being necessarily to be open'd again very Early the ensuing Spring, the intermediate time ought to be manag'd with the greatest Application; Care being to be taken about many things that cannot be provided without much Pains and Diligence, and it being of the utmost Importance to the common Cause to prevent the Enemy.

Now the more clearly to make appear, High and Mighty Lords, what Efforts are necessary to be made for continuing the War the ensuing Year, and consequently what Funds are requisite for Defraying the Charge thereof, the Council have judg'd it proper, to offer the two following Points to your Consideration; first, what Successes the Arms

Arms of your High Mightinesses, and your Allies, have obtain'd since the beginning of this War, and in what Manner; secondly, what Use ought to be made of those Successes, for procuring, by the Blessing of God, as soon as may be, a good and firm Peace: Which two things will naturally shew the Necessity of the great Demands made in this general Petition for the Year 1707; to provide for, and make good the Establishment and Estimates of which Petition, the Consent of the Lords the States of the respective United Provinces is requir'd out of Hand.

As for the Successes in this War, tho' through the Goodness of God, from time to time, they have been Prosperous, and some Parts where the Allies have had Engagements with the Enemy, have been very great and surprizing; yet those Successes were not gain'd without very great Difficulties, Toil, and Hazard, and when gain'd, were often interrupted by gross Occurrences, and follow'd by unlucky Turns of Affairs. This Truth is fully evident from the Events of every Year of this War. In 1702, when the War was begun in these Parts, as it was before in *Italy*, the Enemy were, indeed, dislodg'd from the Frontiers of this State along the *Rhine* and the *Maase*, by the taking of *Keyserwaert*, most of the Towns and Forts in the *Spanish Gelderland*, and *Liege*; and the Expedition by Sea against *Spain*, after much Loitering and fruitless Attempts about *Cadix*, was no less advantageously than luckily terminated at *Vigo*. But in the mean time we were not without Apprehension and Danger from the Enemy's Attempts on the side of *Nimeguen* and *Hulst*; and the State was oblig'd for its better Security to take more Troops into Service, besides the Recruits and Levies that were already made. These Progresses and Efforts putting the Enemy upon recruiting their old Troops, and raising new, establishing great Magazines on their Frontiers, and making all manner of Preparations to render themselves Superiour in Arms to the Allies in all Parts, your High Mightinesses, with her Majesty the Queen of *Great Britain*, found it necessary in 1703 to augment your Forces with 20000 Men more: And tho' the Military Operations on this Side

were not unprosperous that Year, particularly on the Lower Rhine, and the Maese, Ben, Hay, and Limburg being taken; and tho' that Year the King of Portugal, and the Duke of Savoy, came into the Grand Alliance, yet the Affairs of the High Allies did not go so successfully in other Parts. In the Netherlands about Maestricht and Antwerp we found our selves in very great Danger; and in Germany the Enemy had so great a Superiority, what with their own, and their Confederate's Forces, that early in the Spring, even before the Winter was well over, they pass'd the Rhine, and making themselves Masters of Fort Kehl, and other Places thereabouts, march'd through very difficult and barren Ways to the Danube, put the two adjacent, and not the least Circles of the Empire, and even the Archdukedom of Austria, and County of Tirol, into great Perplexity, took (notwithstanding the Succours sent up by your High Mightinesses) the Fortresses of Brisac and Landau; and lastly, by their Advantages on the Spierbach, spread the Terror of their Arms to the Main and Moselle. The Campaign of 1704 was open'd by the Enemy on the Upper Rhine and the Danube, and to redress the imminent Danger it brought upon the Allies, and prevent the fatal Consequences that were apprehended from it, your High Mightinesses, with her Majesty the Queen of Great Britain, were oblig'd to send up a very considerable Number of Troops, which had such Success, that a Stop was put to the Progress of the Enemy; and by the great Battle of Hochstet, fought soon after that at Schellenbergh, all that was lost was recover'd, Brisac and Fort Kehl only excepted: But in the mean time the Arms of the Allies had not the same Success in other Parts, particularly in Portugal; and in Piedmont, where besides the Reduction of the Dutchy of Savoy, several Places were forc'd to submit to the Enemy, tho' not without putting them to a very great Expence of Blood, especially Verue, which cost them a hard Siege of above Six Months. These Successes, High and Mighty Lords, gave us good Ground to hope, that the Enemy, who in the Battle of Hochstet, and the Siege of Verue, had in effect lost two Armies, could not repair that Loss, at least, not so speedily, as to

hinder the Military Operations of the Allies, the  
 next Year, on the *Moselle* and the *Saar* and Country  
 adjacent, where *France* is least fortified by Art; but  
 the Event was very different from those Hopes and  
 Appearances. The Enemy took the Field first a-  
 gain, on the *Moselle*, with a formidable Army, and  
 posted themselves in such a manner, that the Army  
 which march'd up thither could undertake no en-  
 terprize of Consequence: At the same time the En-  
 emy appear'd Superior on the *Maerx*, so that to se-  
 cure the State from Disaster, the Troops were ob-  
 lig'd to come back from the *Moselle*; yet that Suc-  
 cess attended them, that in a little time after the E-  
 nemy's Lines in *Brabant* were forc'd. In *Spain*, by  
 means of the new Succors sent thither, who took  
*Barcelona*, the Face of Affairs was happily chang'd;  
 and on the Upper *Rhine*, the Arms of the  
 Allies broke through the Enemy's Lines about  
*Haguenau*, deep into *Alsace*. On the other Hand,  
 the Enemy reduc'd all *Piedmont*, the Capital  
 (which was threatned hard too) and two or three  
 other Places only excepted. And lastly, to come  
 to the Successes of the past Campaign, they  
 have in several Parts (by the Goodness of God)  
 been very great and advantageous beyond all Hu-  
 man Expectation. In *Spain*, *Barcelona* was reliev'd,  
 and the Enemy forc'd to draw off, with the Loss of  
 almost a whole Army, and of a considerable Train  
 of Artillery, and all manner of Stores of War; this  
 was attended by the Submission of the intire Princi-  
 pality of *Catalonia*, and of the Kingdoms of *Malancia*  
 and *Aragon* to King *Charles III*, as also of several  
 Maritime Places in the *Mediterranean*. In the *Ne-*  
*therlands*, by the Glorious Battle of *Ramilly*, and the  
 Affright and Confusion into which it put the En-  
 emy, three *Spanish* Provinces, and several great and  
 opulent Cities and Places in them, were likewise re-  
 duc'd to the Obedience of King *Charles III*; and af-  
 terwards several other Towns, as *Ostend*, *Menin*,  
*Dendermonde*, *Aeth*, were with uncommon Vigour  
 and Bravery taken in much less Time than the like  
 was ever done before: And in *Piedmont*, the City  
 of *Turin* was in a most wonderful manner nobly re-  
 liev'd, and the Enemy before it routed, and with  
 great Loss of Men, Artillery, and Stores of



all sorts, forc'd to retire out of Italy over the Mountains into their own Country. Yet tho' so great, & surprizing, so memorable Advantages and Victories were obtain'd, Affairs in Spain were first brought to the utmost Extremity, by the Enemy's forming the Siege of *Barcelona* by Sea and Land, and pushing it on with so great Vigour, that had not the Succours sent thither arriv'd just as they did, the Place must have submitted, to the Ruin ('tis to be fear'd) of King *Charles's* Cause. On the *Rhine*, the Enemy; before the German Troops were out of their Quarters and recruited, with a considerable Body of Forces rais'd the Blockade of *Fort Louis*, and afterwards retook *Drusenheim* and *Haguenau*, with a great Train of Artillery that was in it; and generally recover'd all that was taken from them in those Parts the preceding Year, and even straitned *London*. In *Lombardy* the Enemy gain'd a great Advantage over the Allies near *Montechiari*, by means whereof they put back their Operations, and gain'd time to besiege *Turin*, and press it very hard. From all this, and also from the Affairs of *Spain*, seeming at this time not to be in so prosperous a Course as they were at the opening of this Campaign, but to require new Succours, it evidently appears, that (as we said at first, ) altho' the Successes of this War have hitherto been very great and advantageous, yet they have always been accompanied with great Difficulties, Toil, and Hazard, and have not gone on in such an uninterrupted Train, as might well have been hop'd had the Arms of the Allies been Superior to the Enemy in all Parts; and as those Advantages could not have been obtain'd, so neither can they be pursued, if any Diminution had been, or should now be made, of the Force hitherto employ'd against so powerful an Enemy.

The Second Point, High and Mighty Lords, which the Council of State think deserves to be consider'd, is, the Use that ought to be made of all the foremention'd Successes, for the Advantage of the common Cause, and particularly of this State. To form a just Notion of this 'tis necessary to reflect not only on the Circumstances with which those Successes have been accompanied, but likewise on the present Condition of the Enemy, the Resources



or Means they have to repair their Losses they have  
 sustain'd, and lastly, the Diligence and Dispatch they  
 apply to the repairing of them. As for the Condi-  
 tion of the Enemy, it has been already shewn, that by  
 the Progress of the Arms of this State, and its High  
 Allies, the Archbishoprick of *Cologne*, and the Bishop-  
 rick of *Liege*, are clear'd of the Enemy's Garrisons.  
 That several Provinces in *Spain*, and of the *Spanish*  
*Netherlands*, are reduc'd to the Obedience of their  
 rightful Prince. That the Duchy of *Milan*, and the  
 Principality of *Piedmont* are well near intirely reco-  
 ver'd; and that there is great likelihood of further  
 Conquests in *Italy*. 'Tis also apparent, that *France*  
 must be much weaken'd, not only by the Diminution  
 of their People and Riches through the Persecution  
 of those of the Religion profess'd by this State, and by  
 the Removal thereby occasion'd of great Part of their  
 Manufactures out of the Kingdom; but particular-  
 ly by the extraordinary Efforts they have made du-  
 ring this War, by the great Loss of their experien-  
 ced Veteran Troops in the foremention'd Battles and  
 Sieges, and of almost an inconceivable Quantity of  
 Artillery, and Stores of War; as also by the frequent  
 Alteration of the Value of their Coin, and the  
 great Exportation of Gold and Silver Species occa-  
 sion'd by it, and by the low Value of the publick  
 Funds, and of the Mint Bills. But, besides that the  
 Subjects and Territories of the high Allies in these,  
 and other Parts, have suffer'd considerably by  
 this War; that their Staple Commodities are much  
 sunk in their Value; that Trade, Navigation, and  
 the Fisheries, are not a little decayed: and that it  
 has been necessary for Exerting the utmost Efforts  
 to levy great Taxes, and borrow very considerable  
 Sums of Money; the Extent of the Dominions of  
*France* is so great, and so many powerful Provinces  
 belong to that Crown, that, as our Ancestors at the  
 time of the Negotiation of the Treaty of *Munster*,  
 entertain'd a just Apprehension of the great Power  
 of that Monarchy, and were alarm'd at their enlar-  
 ging their Dominions on the *Rhine*, the *Maex*, and  
 in the *Netherlands*, and for that sole Reason consent-  
 ed then to a Peace with *Spain*; so the State, and its  
 Allies, have not only as much, but beyond Compa-  
 rison more, and stronger Reason to apprehend the

present Greatness of that Power, and to agree upon, and continue such Measures as may be most effectual, and conducing to the maintaining and securing of their common Safety. If any Person, who desires to be convinc'd of the Power of *France*, should not think fit to consider what it was in the Time of the Emperor *Charles V.* and with what Precaution that Emperor notwithstanding he was also King of *Spain*, and Lord of the Seventeen Provinces of the *Netherlands*, proceeded against King *Francis I.* who had little more than one third of the Revenues his present Successor has, and what Difficulties he found in making War against that King; let him come nearer to our Times, and taking things but from the Conclusion of the Treaty of *Munster*, he will find, that by the Cession made by that Treaty, of *Brisac*, the *Suntgaw*, and Landgraviate of *Alsace*, to *France*, their Frontier was extended to the *Rhine*, and a Passage was open'd into *Swabia* and to the *Danube*: That by the Treaties of the *Pyrenees*, and of *Aix la Chapelle*, and others subsequent to them, they obtain'd the Counties of *Roussillon* and *Cers* on the Borders of *Spain*: That by the Cession made to them, of *Thionville*, *Monmedi*, and *Danville*, they gain'd a Passage to the Archbishoprick of *Trier*: That besides the Country between the *Sambre* and the *Meuse*, they have since got all *Artois*, great part of the Dutchies of *Luxembourg* and *Hainault*, and of *Flanders*, and a great Number of noble and strong Towns in them, as *Cambray*, *Valencienmes*, *Condé*, *Donay*, *Lille*, *Ipres*, *Aire*, *St. Omer*, *Arras*, and many others (among which *Dunkirk* must not be forgotten, tho' yielded to *France* in another manner, and on a particular Bargain;) by all which Towns they have not only made for themselves a strong Barrier, but dismembred the rest of the *Netherlands*, and open'd themselves free Access to them at all Times, having left the Barrier regulated for this State little more than the Name. Add to this, their Acquisition of the *French Comté*, the greatest part of *Lorraine*, and *Strasbourg*, a City which alone, by its Situation, tho' it had not *Hunninghen* above it, and *Fort Louis* below it, would command the *Rhine* from *Basil* down to *Philipsbourg*, and which having the fertile *Alsace* behind

' it, and an open Communication with *France* thro'  
 ' *Phalsbourg* and *Lorrain*, is always in a Condition to  
 ' give great Umbrage and Disquiet to *Germany*. We  
 ' forbear to mention all the Usurpations made by  
 ' that Crown since the Peace of *Nimeguen*, under Pre-  
 ' text of Reunions, and of the artfully forg'd Deeds  
 ' of the Chambers of *Metz*, *Brisac*, and *Besancon* ;  
 ' What we would come to is this, that of all that  
 ' *France* has either acquir'd by Treaties, or seiz'd  
 ' by Usurpation, since the Year 1648, they have  
 ' lost nothing, nor have the Allies conquer'd any  
 ' thing from them, but *Menin* only ; and on the  
 ' other hand, they are now possess'd of the Capi-  
 ' tal City, and most of the Territory of the Arch-  
 ' bishoprick of *Trier*, *Fort Kehl* and *Brisac* : So  
 ' that the King of *France*, with respect to his Domi-  
 ' nions and Provinces, is, if not more, yet in Effect  
 ' not less formidable, than he was in the last War,  
 ' when the Emperor, the Empire, *England*, *Spain*,  
 ' and your High Mightinesses, could not, without  
 ' great Difficulty, after 9 Years struggle, bring him  
 ' to equitable Conditions of Peace : And now, instead  
 ' of having *Spain* against him, he has under his own  
 ' Management and Direction the Kingdom of *Naples*  
 ' and *Sicily*, and most of the *Spanish* Islands in the  
 ' *Mediterranean*, and along the Coasts of *Italy* ; the  
 ' Kingdoms of *Navarre*, *Galicie*, great part of *Castile*,  
 ' and the Trade of Wool there, *Andalusia*, with *Cadix*  
 ' and *Seville*, together with the Lordship of *Bis-  
 ' cay* in *Spain* ; the Colonies, and the rich Treasure  
 ' and Trade, in the *Spanish West Indies* ; and the  
 ' Provinces of *Luxembourg*, of *Namur*, and almost all  
 ' *Hainault*, in the *Netherlands*. From all which it  
 ' abundantly appears, how formidable the Power of  
 ' *France* still is, and that it deserves our most serious  
 ' Reflection.

' Another thing that deserves no less than the for-  
 ' mer, to be consider'd, is the Resources or Means  
 ' *France* has to repair its Losses, and how practicable  
 ' they are render'd by the great Authority of the  
 ' King, the submissive Obedience of the People, the  
 ' great Extent and advantageous Situation of the  
 ' Country, the Populoufness of the Kingdom, and  
 ' its Dependencies, the Genius of the Nation, and  
 ' the Obligation ( introduc'd by Custom ) of the  
 ' No.

W Nobility to go into the Service ; also the Fruitfulness of the Soil, and the Multiplicity of its Productions ; which being vend'd chiefly in the Northern Parts of Europe, bring great Sums of Money into the Kingdom ; as does also their Management and Trade in America, and will do more, if their Settlements at Lima, and other Places on the South-Coast of that Part of the World, be not disturb'd and hinder'd. From all this in general, the Constitution of the Kingdom and the Experience of former Times, and even of this War, we draw this Conclusion, that how low soever France has been brought, whether by foreign Wars in which even their Kings were taken Prisoners, or by civil Broils and Troubles, the Crown has been always able, in a short time, to recover it self again, and gain the better of their Adversary ; and especially, if by the Diminution or Slackening of the former Efforts against them they gain'd Time and Opportunity.

Lastly, the Diligence and Dispatch with which the Enemy apply themselves to their Preparations of War, for repairing their Losses, ought not to be pass'd over without Remark. Examples of the Advantages they have gain'd by it are not uncommon, and the Wars that preceded the Peace of Ryswick, afford more than one Proof of it ; but not to dwell upon this Argument, we have sufficiently experienc'd during the present War, one Year after another, that tho' the Enemy have (as has been already recited) been soundly beaten, and have suffer'd very great Loss, yet they have always appear'd fresh again, and with formidable Numbers in the Field. Even the mighty Defeats and Losses they have sustain'd the last Campaign, have not slacken'd, but quicken'd their Diligence ; for, according to all Advices, the Enemy by raising great Levies and Recruits, by commanding the Intendants of the Provinces to furnish a considerable Number of Men, by remounting their Horse and Dragoons, by contriving and introducing new Ways to raise Money, and by making careful Provision of all other Necessaries, are endeavouring with the most earnest Application and Expedition to re-establish their shatter'd Armies, and broken Troops, and put them into a Condition of Service.

‘ All these Instances and Particulars of the Enemy’s Power, Resources, and experienc’d Diligence, and Dispatch ; of the Difficulties and Hazards with which the Success God Almighty has been pleas’d to prosper the Arms of Your High Mightinesses, and your Allies, have been accompanied ; and the Vicissitude of Events, that have been commonly experienced in War, and particularly in the present ; do of themselves most evidently shew, that the only right Use that can be made of those Successes, is without one moment’s Neglect to pursue them, with redoubled Zeal, Application, and Vigour, and with an Augmentation ( if it can be done ) of the Efforts that have been hitherto made ; till the Enemy be brought to Reason. The ancient and modern Histories want not Examples of very great Advantages obtain’d by Princes and States, who have made good Use of their Victories ; not, on the other Hand, are we without Instances, and those not ancient, of great Mistortunes attending Successes that have not been duly pursued, and rightly improv’d. And we ought the rather to have this always in our Minds, because good Fortune usually begets Carelessness and Supineness, and Men being elated with Successes, often conceive a meaner Opinion than they ought, of the Strength of the Enemy ; and give the less heed to their Machinations and Intrigues.

‘ The Consequence of making the Use we propose, will be ; not only that the Conquests and Successes already gain’d will be secur’d, and be more and more extended and multipl’d ; but the Enemy will the sooner be brought to a good and solid Peace. A Peace, High and Mighty Lords, not existing only in Treaties, or depending on the Enemy’s Interpretations, as were most of the former, and were therefore slightly broken by them in Realities ; such a one, as being made with the Faithful Communication and Concurrence of all the High Allies that are engaged with the State in this War, shall, by removing the French Power from the Frontiers of the State, and Establishing a good and safe Barrier, secur’d and corroborated with the common Guarantie of the High Allies, last many Years.

Numb.

## Numb. XVI.

*The Queen's LETTER to the Bishop of Paderborn,  
Elected Bishop of Munster.*

**A** N N A, Dei Gratia, Magnae Britanniae, Franciae & Hiberniae Regina, Fidei Defensor, &c. Reverendissimo, & Celsissimo Principi Domino Francisco Arnoldo, Episcopo Paderbornensi, ac Electo Monasteriensi, &c. Consanguineo & Amico Nostro Charissimo, Salutem. Reverendissime & Celsissime Princeps, Consanguinee & Amice Charissime. Accepimus Celsitudinis vestrae Litteras, viceffimo quarto Die Septembris Datas, quibus notum nobis fecit Celsitudo vestra, se Majoris partis Capitularium Suffragiis Electum fuisse Episcopum Monasteriensem. Multum certè Laetiae sumus quotiescunque vobis aliquid prosperi eveniret; eoque impensius vobis favemus, quòd proprior inter nostros Bonos Amicos, & Confederatos Dominos Ordines Generales & Vos, intercedit necessitudo; cumque utile illis videatur, maximeque necessarium, ad conservandam Westphaliae Tranquillitatem, ut res vestrae promoveantur, nos communi Bono consulentes, ad omnia paratæ Sumus, quae in finem tam laudabilem conducant; Dominisque Ordinibus Generalibus nos jungemus ut inferioris Germaniae Pax non conturbetur; Quod super est, Celsitudinem vestram benignæ Divini Numinis tutela ex animo commendamus. Dabantur in Palatio nostro de Kensington, Die decimo quarto mensis Decembris, Anno Domini 1706. Regniq[ue] nostri quinto,

Celsitudinis vestrae

Bona Consanguinea,

A N N A R.

Numb.  
1706

Numb: XVII.

*His Grace the Duke of Marlborough's Letter to  
the Rt. Hon. Mr. Secretary Harley.*

SIR, *Camp at Grimbergh, May 24. 1706.*  
 I Hope Col. *Richards* will be with you in a Day  
 or two, with the good News of our Victory  
 over the Enemy, which, by the Event, appears to  
 be much greater than we could well have expect-  
 ed: For on Monday Night, while we were ma-  
 king our Disposition to force the Passage of the  
 Dyle by break of Day the next Morning, we had  
 Advice, That the Enemy having abandon'd *Lou-*  
*vain*, were retired towards *Brussels*; so that we  
 made our Bridges, and pass'd the River without a-  
 ny Opposition. We encamped that day at *Bethlem*;  
 and continued our March next Morning early.  
 About 10 a Clock I receiv'd the enclosed Letter by  
 a Trumpet from the *Marquis de Deynse*, Governor  
 of that Place: Whereupon I sent Colonel *Panton*,  
 one of my Aids de Camp, with a Compliment to  
 him, and the States, to let them know, I should be  
 glad to see them in the Afternoon. About 4 a Clock  
 they came to *Digbem*, with two other Deputations;  
 one from the Sovereign Council of *Brabant*, and  
 the other from the Burgomasters and City of *Brussels*.  
 They all shew'd great Satisfaction at their being de-  
 liver'd from the *French* Yoke, and express'd, with a ve-  
 ry becoming Respect, the Obligations they owe to  
 her Majesty on this occasion. As soon as they were  
 gone, I writ a Letter, in conjunction with the Depu-  
 ties of the Army, to the States, whereof you have here  
 Copy. I was advis'd to it as necessary, not only to  
 enable them to assemble, but likewise to prompt  
 them to declare immediately for King *Charles*, before  
 the Enemy came to make a stand. We writ two  
 other Letters of the like Tenor to the Sovereign  
 Council, and to the City, which have all the good  
 Effect we could wish: For yesterday in the After-  
 noon, the three Deputations returned with the  
 Letters, whereof you have likewise Copies, own-  
 ing his Catholick Majesty in Form. They repea-  
 ted

ted again the great Sense they have of her Majesty's Goodness, in relieving them from the Oppression of the *French* Government; and I can assure you there seems to be an universal Joy among all sorts of People. The Magistrates of *Mechlen*, and those of *Alost*, have likewise been with me, and made their Submission. The Enemy have abandoned *Liere*, and carried all their Artillery and Stores to *Antwerp*, which, I reckon, is now the only place in *Brabant* we are not Masters of. The Army pass'd the Canal of *Brussels* yesterday, and came and encamped at this Place, where we halt to day and to morrow, to refresh the Troops, who have marched six Days together without any rest. Nothing could excuse the giving them so great a Fatigue, especially after a Battle, but the necessity of pursuing the Enemy, and getting hither. However, I shall send a Detachment to morrow to possess themselves of *Alost*. I leave my Brother *Churchill* to command at *Brussels*, with four Battalions of Foot, and two Squadrons. Our hasty pursuit of the Enemy obliged them to leave a great number of wounded Officers there, who are made Prisoners at War; among others, the Count *de Horn*, a Lieutenant-General, and the Earl of *Clare* a Major-General; but the latter dy'd on Wednesday of his Wounds. There are likewise great Numbers in other Places.

On Sunday we shall continue our March to *Alost*, and so on towards *Gand*, to press the Enemy while the Consternation continues among them. I cannot help saying, That, I think, a Victory was never more compleat, nor greater Advantages made of the Success in so short time. I hope God will continue to bless her Majesty's Arms, till the Enemy be reduced to a firm and solid Peace. Besides the great Slaughter that was made in the Battle of their best Troops, we have an Account from all Parts of great Numbers of Deserters that are gone to *Liege*, *Maestricht*, and other Frontier Places, since the Action, whereby their Army must be much weakened. I am, &c.

MARLBOROUGH.

Numb.



Numb. XVI

*The Emperor's Minister not having been able to prevail with the Grisons to grant Passage thro' their Territories, to his Master's Troops, Mr Stanian, the Queen of Great-Britain's Envoy Extraordinary, receiv'd Orders to back his Demand: Whereupon his Excellency repair'd to Coira, the Capital City of that little Republick, and presented the following Memorial to the Regency.*

*Magnificent Lords*

**T**HE Queen of Great Britain, my Mistress, when She sent me to Swisserland, did me the Honour, at the same time, to entrust me with a Letter to your State, and to order me to attend you. But some Business happening, which hindred my coming hither so soon as I design'd, I was oblig'd to delay my Journey, and, in the mean time to send you the Queen's Letter. At present, that my Affairs allow me some Leisure, her Majesty has repeated her Orders for my coming hither immediately, to renew the Assurances I gave you by Letter, of her Friendship and Good Will towards your Ancient and Potent Republick; whereof this Letter, which I deliver to you from Her Majesty, is a sure Pledge.

Her Majesty has also commanded me to tell you, That the just and necessary War in which she is engaged with her Allies against France, to reduce the exorbitant Power of that Crown within just Bounds, and to restore the Ballance of Europe, obliges Her to use all lawful means to attain that laudable End. And since the Divine Power has blest'd the Arms of the Allies, in such an extraordinary manner, that, in all appearance, they will speedily reduce France to such a Condition, as that She shall not be able to disturb the Peace of Europe any more, nor to put its Liberty in Danger, Her Majesty promises Her self, that you, will not thwart the High Allies; but on the contrary, that you will do all that lies in your Power, without expen-  
sing

sing your selves to any Inconveniencies; to facilitate their Enterprizes; the end of which tends visibly to the common Good of *Europe*, and of which, your State will reap the Fruits as well as others.

The Queen, my Mistress, does not desire you to espouse a Party in this Quarrel; she has too much Regard to your Interest, to engage this State in the least Difficulty or Trouble. She is contented, nay she desires, that you would continue bare Spectator of those Troubles, and that you would reap, as well as the High Allies, the Fruit of the prodigious Expence of Blood and Treasure, which they are oblig'd to be at, for restoring the publick Liberty.

All that the Queen, in conjunction with her Allies demands of you, is, That without trespassing upon the Neutrality you design to keep, you would grant Passage, through your Country, to the Troops which his Imperial Majesty, and her other Allies, would send into the *Milaneze*, in order to reinforce the Army in *Italy*. This Demand is so reasonable in itself, and so agreeable to the Ties of Amity and good Neighbourhood, that the High Allies persuade themselves, that on this Occasion, you will give them Proofs both of the one, and the other.

You know very well, Magnificent Lords, that by Vertue of the Capitulation of *Milan*, you always gave Passage to the Troops of the Allies during the last War, tho' you still continued Neuter. And tho' that Capitulation was suspended while the Duke of *Anjou* usurp'd the Possession of the *Milaneze*, now that that Duchy is in the hands of its lawful Sovereign, the true Heir of the late King of *Spain*, *Charles* the Second, it is reasonable to think, that that Capitulation ought to be look'd upon as in Force, and that between Friends and honest Neighbours, such as You, who do not study Shifts and Evasions, both sides ought to keep to the Articles of the Treaty, till there be Opportunity to renew it with King *Charles* III. as his Catholick Majesty designs to do on the first Occasion.

The Partisans and Emissaries of *France* alledge two Reasons to divert you from granting this Passage.

\* Page: The first, *That thereby you would infringe the Neutrality which you profess to observe*; and the 2d. *That you would thereby expose your selves to the Resentments of France*: 'But I readily perswade my self, that you will find them too frivolous to make the least Impression upon Persons so clear-sighted as your selves.

'As to the first, I have already shew'd you, that it can be no Infraction of the Neutrality, tho' you grant the Passage demanded, and that you your selves furnish me with an Instance of it, since as I mention'd already, you always granted it by Vertue of the Capitulation of *Milan*, tho' at the same time you observ'd your Neutrality: without *France's* having ever thought fit to reproach you with breaking it; and if there be need of other Instances, the Republick of *Venice* will furnish you with one. All the Steps of that Republick are directed by such a wise and cautious Conduct, that other States may very safely follow their Maxims and Example. You know, Magnificent Lords, they never refus'd Passage thro' their Territories to the Troops of his Imperial Majesty, and his Allies, tho' they have always profess'd to maintain a Neutrality, and have indeed, observ'd it very exactly, which shews that Neutrality, and allowing Passage to Troops, are not incompatible, but may very well subsist together.

'As to the second Reason, that you will thereby expose your selves to the Resentments of *France*, to me it seems as ill grounded as the other. It is nothing, at most, but Threats, that will never be follow'd by Effects; and which, I perswade my self, will never shake that Firmness and Constancy, which you shew on all Occasions. We see, by the Blessing of God, the *French* Army driven out of *Italy*, and humanely speaking without hopes of ever being able to return thither. I know their Emissaries make it their Business to give out, that they will re-enter *Italy*, next Spring: But those who are inform'd of the true State of their Affairs, and know the Situation of the Country, laugh at such Bravadoes. It's true, they have still some Troops in *Italy*, but the Reason is, because their Retreat is cut off, and they can't get out of it; so

that we are rather to look upon them as Prisoners of War, than Garrisons in the Places, which the rigour of the Season only has hitherto hindered us from taking: And therefore I may boldly say, that you have nothing to hope from the Favour, nor to fear from the Relentments of France.

But allow me to tell you, Magnificent Lords, as a Friend, who has in view, and wishes the Welfare of your State, as well as the Service of the Queen, and her Allies, that it is not the same with respect to the Emperor, and King of Spain. You know very well, it is in their Power to disturb your Commerce, both in the Empire and *Milanese*; and I must tell you freely as a Friend, that I cannot but dread the Consequences of your refusing the Passage, which the High Allies demand of you, as good Friends and Neighbours: Whereas by granting it, you have ground to hope for every thing from those two Princes, as well from their natural Inclination to do Good, as from the Mediation and Intercession of the Queen, and their High Mightinesses the States General, who will not be wanting zealously to promote your Interests, on all Occasions.

Besides those two Reasons, they have alledg'd another, *viz.* That you have tied up your Hands by your Declaration in 1701, importing, *That besides the Neutrality which you promis'd to keep, you engag'd your selves not to grant Passage to our Troops.*

But it's easy to answer that Objection. Every body knows that Declarations of that sort are Temporary, and are no longer Binding, than the Reasons for which they were made subsist. Whilst the Duke of Anjou was in possession of the *Milanese*, you had reason to do nothing that might break the good Correspondence, and disturb the Commerce with that Country which is so necessary to you; but now that the Duchy of Milan has submitted to its lawful Prince, the same Reasons which induc'd you to refuse Passage to us then, ought to oblige you to grant it us now, considering the present Posture of Affairs, lest you lose the Advantages you draw from that Commerce; and expose your selves to the dangerous Consequences which such a Refusal may be attended with.

These

These are not false Colours, or craftily-invented Turns to amuse you, and disguise Truth, but solid Reasons, founded upon the constant Interest of your Republick, and which certainly must have more Weight with you, than the imaginary Fears with which *France* would possess your Minds, and the Resentments with which they threaten you, when they shall have re-conquer'd the *Milaneze*; since, in Truth, they run greater Hazard to lose some of their own Provinces, in the Course of the next Campaign, than he King of *Spain* does to lose the Dutchy of *Milan*.

This, *Magnificent Lords*, is what I am commanded by the Queen, my Mistress, to demand of You in Her Majesty's Name, in the most forcible and pressing Terms, as an Essential Point, which much concerns the Service of the High Allies: And her Majesty hopes, that you will the more readily grant the same, in that She has given me positive Orders to assure You, from Her, That tho' it is not likely, that *France* may, any way, hurt You; yet if, contrary, to all Probability, it should happen that *France* should pretend to quarrel with or trouble you, upon Account of the Passage you will grant Us, her Majesty, and her Allies, engage their Promise effectually to assist and support you against all your Enemies. And to acknowledge the Service you will do the Common Cause on this Occasion; her Majesty, and the States General of the United Provinces, assure you, That they will employ their best Offices with the Princes and States where there shall be Occasion, in order to promote the Advantage and Interest of your Republick; and, in particular, when it shall be Time to make Peace, they will endeavour to have you comprehended in it, in such a manner, as to establish your Liberty, Safety and Prosperity, upon a firm and lasting Foundation.

I must forewarn you, that, in all Appearance, the Minister of *France* will make it his Business to baffle the favourable Resolutions you may take, by gaining Time, and endeavouring to make you put off the Execution of the same: But, the Season being too far advanc'd to admit of any long Delay, which would do us as much Prejudice as a down-

right Denial, I desire you to take such a speedy Resolution, as may suit with the Urgency of Time and mutual Friendship.

As for my own part, *Magnificent Lords*, I must return you Thanks, for the great Civilities you have done me, upon my Arrival here. I cannot better acknowledge the same, than by recommending the Interest of your State to the Favour and Protection of the Queen, my Mistress. It now lies in you to furnish me with an Opportunity for it, by granting me the Demand I make in her Name, and I hope you will not let it slip. I do assure you, that I should think my self extream happy, if I could give her Majesty so good a Testimony of the Respect and Zeal you have for her Person and Interest; and that I will gladly, upon all Occasions, use my Endeavours to procure the Good and Advantage of your Republick. I am most truly,

Coira, Rep.

*Magnificent Lords,*

12. 1707 Your most Affectionate, to do you Service,

A. STANIAN

The next day, the *Chevalier de Graville*, the French King's Minister, presented a Memorial to the Republick of the *Grisens*, in Opposition to that of Mr. Stanian; which the latter answer'd in a second Memorial, address'd to the Chiefs and Councillors of the Three Leagues of the *Grisens*, which was as follow:

*Magnificent Lords,*

I Did not think I should have been obliged to enlarge any more on the Demand, which I made in the Name of my Mistress, the Queen of Great Britain, in my Proposal of the 12th of this Month, to perswade you to grant it me; but the *Chevalier de Graville*, Envoy Extraordinary of France, having deliver'd to you the 13th a Memorial, in which he sets forth, Reasons to dissuade you from it, I thought I should not do amiss, to shew you the Frivolousness of his Arguments, thereby to make the Strength and Justice of mine appear more evidently; Wherefore, I had my self oblig'd to add the following Remarks to my Proposal.

The first Reason Monsieur *de Graville* makes use of to dissuade you from observing the Capitulation

of *Milan*, is, because, says he, *That Capitulation regards the Duke of Anjou, and not King Charles III.* But to confute that Reasoning, I would only ask him, whether, or no, that Capitulation expir'd with the late King *Charles II*? If he says it did, then 'tis not true, that the said Capitulation can regard either the Duke of *Anjou*, or any other, because, according to his saying, 'tis a Thing which exists no more; if he says it did not, it then follows, that 'tis still in Force, and consequently he owns, that we have Right to demand the Execution of it; For if he would maintain, that you ought to observe it, in respect only to the Duke of *Anjou*, as pretended lawful Heir to the late King *Charles II*, I would ask him by Vertue of what? Neither you, nor the greatest part of *Europe*, would ever acknowledge that pretended Right. You would never make any Treaty or Alliance with him, so that if you have continued observing the Capitulation during his Intrusion into the Dutchy of *Milan*, it could be only on Account of his being present Possessor; so that the Effect must cease with the Cause. For if Monsieur *Graville's* Reasoning were good, the Consequence would be, that you would be oblig'd to break off all Commerce with the *Milaneze*, which you enjoy'd by Vertue of the said Capitulation; since, according to Monsieur *Graville's* saying, that Capitulation regards only the Duke of *Anjou*, altho' another Prince has taken Possession of it, and obtain'd the Investiture of the Emperor in all due Form, Monsieur *de Graville* goes on, and says, *That the Swiss Cantons, Neighbours to Italy, have rightly acknowledged the Equity of an Uncontestable Right, and their own Interest, by making an Alliance with the true Prince of the Milaneze.* 'Tis fit to make you take Notice, that the Ministers of *France* contradict themselves in their Reasonings, according to the different Occasions. Monsieur *de Graville* knows perfectly well, that the strongest Argument which the Ministers of *France*, and of the Duke of *Anjou*, in *Switzerland*, made use of, to induce those Cantons to renew their Capitulation, was, *That it was not their Business to enter upon the Discussion of the Rights of the two Competitors, and that it ought to suffice them, that the Duke of Anjou was in Possession of the Milaneze to*

"justify their Treating with him; And therefore those  
 'Cantons have declared, that they only treated with  
 'the Duke of *Anjou*, as Possessor of the *Milaneze*, with-  
 'out deciding his Right, which, in Effect, did not be-  
 'long to them to do. 'Tis true, those very Cantons had  
 'acknowledg'd the Duke of *Anjou* as King of *Spain*:  
 'But that proves nothing against you, who have not  
 'done the same: So that whether we consider the Right  
 'or Possession, those two Reasons are equally false in  
 'reference to you; for as to his Right, you never ac-  
 'knowledg'd it; and as to the Possession, you know  
 'King *Charles III.* has it, together with his Imperial  
 'Majesty's Investiture, as a Fief of the Empire. The  
 'Question therefore, *Magnificent Lords*, comes only to  
 'this, viz. Whether you will break off all Commerce  
 'with the *Milaneze*, or continue to observe the Article  
 'for the same, as you have ever done, since the Death  
 'of *Charles II.* King of *Spain*, until they can be renew'd  
 'on Conditions more advantageous for your State,  
 'by the Mediation of those Powers who will espouse  
 'your Interest. For 'tis not just, you know, *Magnifi-  
 'cent Lords*, that King *Charles III.* should be oblig'd  
 'to perform such Articles of the Capitulation as are  
 'advantageous to you, and that you should be per-  
 'mitted to reject the Article concerning Passage,  
 'which is the most important of all to him, at this  
 'present Juncture: The Treaty is reciprocal, and  
 'equally binding on both sides.

'If Monsieur de *Graville* should say, that the Duke  
 'of *Anjou* has not demanded Passage, whilst he was  
 'in Possession of the *Milaneze*, it may be answer'd,  
 'that Monsieur de *Barbezieres's* Commission, when he  
 'pass'd thro' these Countries during the War in *Bava-  
 'ria*; is very well known: But without insisting up-  
 'on that, I shall say, that the Reason why he did  
 'not demand Passage, is because he had no need  
 'of it, to enter into the *Milaneze*, which was the on-  
 'ly Passage you were at liberty to grant him, with-  
 'out infringing your other Alliances. 'Twas of  
 'much greater Importance to him, to hinder the Al-  
 'lies from making use of it, and therefore the Mini-  
 'sters of *France* and *Spain* did so earnestly solicit you  
 'to shut up your Passages to both Parties: But the  
 'chief Argument on which Monsieur de *Graville*  
 'grounds his Reasoning, is the Declaration you have  
 'made,



made, not to grant Passage to either Party. Give me leave *Magnificent Lords*, to examine, in few Words, the strength of this Objection: But before I enter upon that Examination, I cannot forbear taking notice to you of a Thing which he advances as Matter of Fact, which is not so. I own he mentions it by way of Interrogatory, but in such a manner as to make it believ'd by every body, and even by your selves, who know the contrary. *Have you not oblig'd your selves, Magnificent Lords*, says he, *by a solemn Oath, constantly to shut up your Passages?* &c. You know, *Magnificent Lords*, that you have taken no Oath about it, so that you cannot avoid answering him, You have not: I am willing to think that *Monsieur de Graville* has committed this Error by Oversight; However, the little Care he takes to enquire into the Truth of such material Passages before he advances them, ought to teach you not to give Credit, too easily, to his Assertions: But I return to his Reasoning. In order to examine it well, We must consider the time when that Declaration was made, and the End for which you made it. As to the Time, it was when the Duke of *Anjou* was in Possession of the *Milanese*, and the Design of it was to preserve your Commerce in that Country; but that time is now no more, the Duke of *Anjou* is no longer Duke of *Milan*, either by Right or in Reality; nor can the End you made it for take place, at present. For otherways it would follow, that the means you then made use of, for preserving your Trade in that Country, would change Nature, and become the very means to make you lose it; so that you should destroy Yourselfes with your own Weapons. *Monsieur de Graville* must frankly own, that you meant this Declaration in a limited Sence, with Respect to the Circumstances of Time, and the Posture Affairs were then in; Otherways, you would have made your selves accountable for the Events of the War, and expos'd your selves to the Inconveniences you design'd to avoid by that Declaration. Let us suppose the War should last ten Years longer, must you therefore be oblig'd to deprive your selves of the Trade and Advantages you receive from the *Milanese*, during all that time, upon Account of

a Declaration, you only made with Design always  
 to enjoy the same, notwithstanding all the Changes  
 which the Fate of War might produce? You are  
 too clear-sighted and penetrating, *Magnificent Lord*  
 to be snar'd; into such an Absurdity, and the Mi-  
 nister who gives you those ill Counsels, under Pre-  
 tence of Friendship, would but laugh at it. You  
 know that a good Pilot, that will bring his Ship  
 safely into Harbour, must steer with the Winds in-  
 stead of Braving them; and I am satisfy'd that you  
 are too good Patriots, to take upon your selves and  
 draw on your Posterity, the Consequences, which  
 such a Conduct as *Monsieur de Graville* advises you  
 to, might have.

This is what I thought necessary to answer to  
 that Part of his Memorial, which relates to the  
 Justice of your Proceeding, in granting us Passage.  
 As to the Political Interest of your State, I have  
 already laid open the Advantages and Disadvantages  
 which you may expect from each Party; 'Tis your  
 business to weigh both, and chuse what suits best  
 with you, in the present state of Affairs. I shall now  
 only add some short Remarks, by the by, upon the  
 other Passages of *Monsieur Graville's* Memorial,  
 that seem to deserve a Confutation. *Monsieur de*  
*Graville* would fain insinuate to you, that the Empe-  
 ror's Ministers have formed a Design to secure, one day,  
 your Passes. God knows from whence he has this  
 piece of News; for my part, I think he is the only  
 Man that has heard of it; and I am perswaded you  
 will give no Credit to it. Had the Emperor, and  
 his Allies, form'd that Design, they would not  
 intreat you by their Ministers, as they now do, to  
 grant them the same, as good Friends, Allies and  
 Neighbours; and besides they know very well,  
 that had they such a Design, you always have  
 Power and means to defend those Passes, against all  
 those that should undertake to force them.

Monsieur de *Graville* towards the Close of his  
 Memorial, endeavours to create in you Suspensions  
 concerning the Sincerity of the Friendship and good Will  
 of the Queen my Mistress towards your Republick, and the  
 Offers of Assistance, I have made you on Her behalf, in  
 case of necessity; To which I will make no other  
 Answer, except that *Monsieur de Graville*, himself might

might point out to you Princes and States more remote than yours, who have felt the good Effects of the Queen's Alliance, as well by Troops, as Subsidies; and that I have the Honour to serve a Princess who makes a Conscience of observing punctually Her Engagements, and who never broke a Treaty, nor was wanting to her Promises. I agree with Monsieur de Gravelle, that your Passes are of great Importance, and a Gift of Nature, from which you may draw great Advantages by opening them seasonably; But if you should follow Monsieur de Gravelle's Counsel, you would make them entirely useless to you, or rather they would be the Spring of many Mischiefs, that might befall you. I therefore conclude with telling you, *Magnificent Lords*, that if ever you design to open your Passes in order to draw any Advantage from them, 'tis at this present Juncture, when you may do a good Service to all the High Allies in General, which will engage them to interest themselves in every thing that may promote the Welfare and Safety of your Republick.

Caira, Feb.

19. 1707.

*I am most truly,*

*Magnificent Lords,*

*Your most Affectionate to serve You,*

A. STANIAN.

*The QUEEN of Great Britain's Interposing in this Affair, had such Weight with the States of the Grisons, that notwithstanding the Endeavours of the French Minister, the following Treaty was concluded, between that Republick and the Imperial Ambassador.*

Whereas, upon the Request of the subscribed Ambassador of his Imperial Majesty, and her Majesty of Great Britain, it hath been resolved upon, and concluded between the said Ambassador, in the Name, and on behalf of his Principals, on the one part, and the Republick of the Grisons on the other part; That the said Republick is to grant Passage to the Troops of his Imperial Majesty, and the rest of the Allies, to march through

through their Country into *Duty*, during this present War, (which Passage hath been granted, not out of a Duty and Obligation, as the said Ambassador has desired it now, but merely out of a great Esteem and Love we bear to his Imperial Majesty, and to his Allies) as long as the Affairs in the *Dutchy of Milan* are in the present Posture: But with an express Proviso, that His Imperial Majesty, and his Allies, will bear and keep the said Republick harmless, and indemnify'd now and hereafter for ever: The said Republick, hereupon, has held a General Council of State, wherein they have unanimously agreed and concluded, with the said Ambassador Extraordinary, That whereas His Imperial Majesty, and Her Majesty of *Great Britain*, and the States of this Republick together, have always taken all imaginable Care, that no Prejudice nor Damage might accrue to the said Republick of *Grisons*, because of their Consent and Permission given for the March of the Troops of the Allies through their Country, therefore the said Ambassador engages in the Name of his already mentioned Principals pursuant to their most Gracious and good Intentions, that

First, In Case the said Republick shall incur any Damage or Prejudice, Hostile Invasion, or other Inconveniencies, and Charges whatsoever, by reason of their Consent for the Passage either now or at any time hereafter, or be in any manner molested or disquieted upon the same Account, full and Plenary Satisfaction and Restitution shall be made to the said Republick, by his Imperial Majesty, her *Britannick* Majesty, and the rest of the Allies; and that they shall assist and succour them with Men, Money, and other Necessaries with all speed, according as necessity requires, and shall not forsake them or leave them destitute of Assistance at any time. And whereas his Imperial Majesty, has sent and notify'd to the said Republick, frequent Assurances to observe and perform, all and every Article of this Treaty solemnly and punctually, therefore,

Secondly, It is expressly promised again by Virtue hereof, that the said Treaty shall be punctually observed and performed, and that all the new Customs

storms and Taxes, viz. upon Salt, Corn, Brandy and other Things, which this said Country has been burthened withal these several Years, to their great Prejudice, shall be taken off, with all Expedition, and continue no longer hereafter, but all the Passes shall be furnished and provided henceforward with Corn, Salt, and other Necessaries, which shall not be stopped, forbidden, or hindred, according to this Treaty; But as for the prohibited Commodities, the Regulations about the same shall remain in Force, as hitherto has been established by Law. The said Republick promises also, firmly, stedfastly and punctually, to observe and perform all and every Article of this Treaty according to the Declaration they have frequently made. Farther, altho' His Imperial Majesty has several times intimated to Us, that it is against his own, and the Interest of his Allies, that Horses are bought, sold, and carried by our Inhabitants thro' our Country to the Enemy, and that his Imperial Majesty had sufficient Reason to demand of Us, that a Stop be put to that Practice, nevertheless, I, the Emperor's Ambassador, oblige my self, most humbly to intreat, and to prevail with his Imperial Majesty, that the Inhabitants of this Republick, may obtain the Liberty to buy, and to carry Horses for their own proper Uses and Occasions out of the hereditary Countries of his Imperial Majesty, but with this express Proviso, That the Inhabitants of this said Republick shall be obliged to make Oath before their respective Magistrates, and to bring a Certificate from him or them, that the Horse or Horses were bought for their own proper Uses, and were not to be sold or carried, either directly or indirectly, to the Enemy of his Imperial Majesty, or his Allies; which said Certificate shall be deliver'd to me the Ambassador of his Imperial Majesty, or to whomsoever his Imperial Majesty shall please to appoint and empower, for that purpose, which Person is to give a Pass to such Inhabitants to carry their Horses, so bought, to their own Habitations.

*Thirdly,* The Arrears of the Yearly Pension or Annuity promis'd to be paid to the said Republick, shall be paid them within, and at the end of six Years

Years, that is to say, every Year the sixth Part, with what will become due that same Year payable every Month of September, of every Year during the time limited, the first Payment to be made in September next following.

Fourthly, His Imperial Majesty, Her Majesty of Great Britain, and the High and Mighty States of Holland, do promise and engage to have this Republick included in the Articles of the General Peace, to their best Advantage : And also, that, at the ensuing Renewing of the Confederacy with the Dutchy of Milan, the Guaranty of the Queen of England, and the States of Holland, which this Republick craves and wishes, and which the English Ambassador has promised to procure for them, shall be obtained ; and that the States of this Republick shall have the Liberty to provide for their best Advantage, in making strict Conditions for the Payment of the Yearly Pension promised them, and for other Pretensions. Likewise, that in case new Treaties should be made, or old ones renew'd, and concluded with other States, nothing shall be inserted in the same, that may redound to the Prejudice of the States of the Grisons.

Fifthly, The Routts and Marches of the Troops of the Allies shall be regulated by the Deputies of this State, and good Order and Discipline observ'd. And, if evident Disorders and Damages shall happen to be committed by the Troops, Satisfaction or Restitution shall be made to the Country. Moreover both Parties shall have the Liberty to carry Corn, Provisions, and other Necessaries over the Seeig, and the Cammer-Lake, lest the Marches of those Troops should cause a Dearth and Scarcity of those Necessaries.

The Ratification of these Articles by his Imperial Majesty, is expected within these 3 or 4 Weeks at furthest, and the two above-mention'd Ambassadors have assured us to procure the same about the 3<sup>rd</sup> Instant, fully concluded and confirm'd : And since the Ratification thereof, cannot be expected to be done in so short a time by her Majesty of GREAT BRITAIN, the said Ambassador therefore obliges himself to procure the same Ratify'd within 10 Weeks time, or sooner, if it be possible.

possible. In the mean while, We the Ambassadors  
of his Imperial Majesty, and of her MAJESTY of  
G R E A T B R I T A I N on the one Part; and  
We the Deputies of the Republick of the *Grisons*;  
in the Name of the whole Assembly of the States on  
the other Part, do hereby inviolably confirm, sub-  
scribe, and put our Seals to the above-mention'd  
Articles of Treaty. Done at *Chur* (*alias Coira*) the  
13th of *March*, 1707.

The Imperial Minister's Letter to his Excellency  
Count *de Gallas*, his Imperial Majesty's Envoy Ex-  
traordinary, and Plenipotentiary to the Queen of  
*Great Britain*.

*May it Please your Excellency,*

THE inclosed sheweth your Excellency the Terms  
and Conditions, upon which the March of  
the Confederate Troops, through the Country of  
the *Grisons*, has been granted and consented to. I  
confess, there were many Difficulties to surmount,  
and remove: and if the *English* Ambassador residing  
here, had not interpos'd, and propos'd the Matter  
himself, it would have been very dubious, whe-  
ther the Passage would have been granted; There-  
fore I repeat again my most humble Thanks to your  
Excellency, for the Procuring, and Obtaining an  
Order for the said Ambassador to make a Journey  
hither. I am sure, that if in the mean while, before  
the Treaty is ratify'd, any Troops should come near  
this Country, they will not be hindred to pass thro'  
it. Advices from *Milan* tell us, that his Highness  
Prince *Eugene* has actually taken Post in the Ditches  
of the Castle, and had caus'd a new Battery to be rais'd,  
in order to make a Breach, which gives Us hopes  
to receive good News from thence in a short Time.  
I recommend my self to your Favour, and re-  
main,

*Chur, (or Coira)*  
*March 15. 1707.*

Your Excellency's  
most Obedient Servant,  
*John Baptista Wester.*

## Numb. XIX:

*An ACT Pass'd in the Parliament of England, for  
Ratifying the Articles of Union.*

*Anno Quinto Annæ Reginae.*

*An ACT for an Union of the Two Kingdoms of Eng-  
land and Scotland.*

*Most Gracious Sovereign,*

**W**HERAS Articles of Union were agreed on the  
Twenty second Day of *July*, in the Fifth Year  
of your Majesty's Reign, by the Commissioners No-  
minated on Behalf of the Kingdom of *England*, under  
Your Majesty's Great Seal of *England*, bearing Date  
at *Westminster* the Tenth Day of *April* then last past,  
in Pursuance of an Act of Parliament made in *England*  
in the Third Year of Your Majesty's Reign, and the  
Commissioners Nominated on the Behalf of the  
Kingdom of *Scotland*, under Your Majesty's Great  
Seal of *Scotland*, bearing Date the Twenty seventh  
Day of *February*, in the Fourth Year of your Ma-  
jesty's Reign, in pursuance of the Fourth Act of the  
Third Session of the present Parliament of *Scotland*,  
to Treat of and concerning an Union of the said  
Kingdoms: And whereas an Act hath passed in the  
Parliament of *Scotland* at *Edinburgh*, the Sixteenth  
Day of *January*, in the Fifth Year of your Majesty's  
Reign, wherein 'tis mentioned, That the Estates of  
Parliament considering the said Articles of Union of  
the two Kingdoms, had agreed to and approved of  
the said Articles of Union with some Additions and  
Explanations, and that Your Majesty, with Advice  
and Consent of the Estates of Parliament, for Estab-  
lishing the Protestant Religion and Presbyterian  
Church-Government within the Kingdom of *Scot-*  
*land*, had Passed in the same Session of Parliament an  
Act, Intituled, *Act for Securing of the Protestant Reli-*  
*gion and Presbyterian Church-Government*, which by  
the Tenor thereof was appointed to be inserted in a-  
ny Act Ratifying the Treaty, and expressly declared  
to be a Fundamental and Essential Condition of  
the said Treaty or Union in all times coming; the



**T**enor of which Articles, as Ratified and Approved of, with Additions and Explanations, by the said Act of Parliament of *Scotland*, follows.

N. B. *Here follows the Articles of Union, as contained in this Appendix, Numb. XII.*

As by the said Articles of Union, Ratified and Approved by the said Act of Parliament of *Scotland*, relation thereunto being had, may appear. And the Tenor of the aforesaid Act for Securing the Protestant Religion and Presbyterian Church Government within the Kingdom of *Scotland* is as follows.

N. B. *This Act is inserted in the Scotch Act of Ratification, See Numb. XII. of this Appendix*

And whereas an Act hath passed in this present Session of Parliament, Intituled, *An Act for Securing the Church of England as by Law Established*; the Tenor whereof follows.

**W**hereas by an Act made in the Session of Parliament held in the Third and Fourth Year of Her Majesties Reign, whereby her Majesty was empowered to appoint Commissioners under the Great Seal of *England*, to Treat with Commissioners, to be Authorized by the Parliament of *Scotland*, concerning an Union of the Kingdoms of *England* and *Scotland*, It is Provided and Enacted, That the Commissioners to be Named in Pursuance of the said Act should not Treat of or concerning any Alteration of the Liturgy, Rites, Ceremonies, Discipline or Government of the Church as by Law Established within this Realm: And whereas certain Commissioners appointed by Her Majesty in pursuance of the said Act, and also other Commissioners Nominated by Her Majesty by the Authority of the Parliament of *Scotland*, have Met and Agreed upon a Treaty of Union of the said Kingdoms; which Treaty is now under the Consideration of this present Parliament: And whereas the said Treaty (with some Alterations thereof in made) is Ratified and Approved by Act of Parliament in *Scotland*; and the said Act of Ratification is, by her Majesty's Royal Command, laid before the

the Parliament of this Kingdom: And whereas it is reasonable and necessary, that the true Protestant Religion Professed and Established by Law in the Church of *England*, and the Doctrine, Worship, Discipline and Government thereof, should be effectually and unalterably Secured; Be it Enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament Assembled, and by Authority of the same, That an Act made in the 13th. Year of the late Queen *Elizabeth*, a famous Memory, intituled, *An Act for the Ministers of the Church to be of a Sound Religion*: And also another Act made in the 13th. Year of the Reign of the late King *Charles the 1st.* intituled, *An Act for the Uniformity of the Publick Prayers and Administration of Sacraments, and other Rites and Ceremonies, and for Establishing the form of Making, Ordaining and Consecrating Bishops, Priests and Deacons in the Church of England*, (other than such Clauses in the said Acts, or either of them, as have been repealed or altered by any subsequent Act or Acts of Parliament) and all and singular other Acts of Parliament now in Force for the Establishment and Preservation of the Church of *England*, and the Doctrine, Worship, Discipline and Government thereof, shall remain and be in full force for ever.

And be it further Enacted by the Authority aforesaid, That after the Demise of her Majesty (whom God long preserve) the Sovereign next Succeeding to Her Majesty in the Royal Government of the Kingdom of *Great Britain*, and so for ever hereafter every King or Queen Succeeding and Coming to the Royal Government of the Kingdom of *Great Britain*, at His or Her Coronation, shall in the Presence of all Persons who shall be Attending, Assisting, or otherwise then and there present, Take and Subscribe an Oath to Maintain and Preserve inviolably the said Settlement of the Church of *England*, and the Doctrine, Worship, Discipline and Government thereof, as by Law established within the Kingdoms of *England* and *Ireland*, the Dominion of *Wales*, and Town of *Berwick upon Tweed*, and the Territories thereunto belonging.

And be it further Enacted by the Authority aforesaid, that this Act, and all and every the Matters  
and

and Things therein contained, be, and shall for ever be Holden and Adjudged to be a Fundamental and Essential Part of any Treaty of Union to be concluded between the said Two Kingdoms; And also that this Act shall be inserted in express Terms in any Act of Parliament which shall be made for Settling and Ratifying any such Treaty of Union, and shall be therein declared to be an Essential and Fundamental Part thereof.

May it therefore please your most Excellent Majesty, that it may be Enacted; And be it Enacted by the Queen's most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by Authority of the same, That all and every the said Articles of Union as Ratified and Approved by the said Act of Parliament of *Scotland*, as aforesaid, and herein before particularly mention'd and inserted, and also the said Act of Parliament of *Scotland* for Establishing the Protestant Religion, and Presbyterian Church Government within that Kingdom, Intituled, *Act for Securing the Protestant Religion, and Presbyterian Church Government*, and every Clause Matter and Thing in the said Articles and Act contained, shall be, and the said Articles and Act are hereby for ever Ratified, Approved and Confirmed.

And it is hereby further Enacted by the Authority aforesaid, That the said Act passed in this present Session of Parliament, Intituled, *An Act for Securing the Church of England, as by Law Establish'd*, and all and every the Matters and Things therein contained: And also the said Act of Parliament of *Scotland*, Intituled, *Act for Securing the Protestant Religion, and Presbyterian Church Government*, with the Establishment in the said Act contained, be, and shall for ever be Held and Adjudged to be, and observed as Fundamental and Essential Conditions of the said Union: And shall in all Times coming, be taken to be, and are hereby declared to be Essential and Fundamental Parts of the said Articles and Union: And the said Articles of Union so as aforesaid Ratified, Approved and Confirmed by Act of Parliament of *Scotland*, and by this present Act, and the said Act passed in this present Session of Parliament, Intituled *An Act for Securing the Church of England as by Law*

*Established*; And also the said Act passed in the Parliament of *Scotland*, intituled, *Act for Securing in Protestant Religion, and Presbyterian Church Government*, are hereby Enacted and Ordained to be, and continue in all Times coming the Compleat and Intire Union of the Two Kingdoms of *England* and *Scotland*.

And whereas since the Passing the said Act in the Parliament of *Scotland*, for Ratifying the said Articles of Union, one other Act, intituled, *Act Settling sixteen Peers, and Forty five Members to Represent Scotland in the Parliament of Great Britain*, hath likewise passed in the said Parliament of *Scotland* at *Edinburgh*, the Fifth Day of *February*, One thousand seven hundred and seven, the Tenor whereof follows.

N. B. This Act is contain'd in this Appendix Numb. XIII.

As by the said Act passed in *Scotland*, for Settling the Manner of Electing the Sixteen Peers, and Forty five Members, to represent *Scotland* in the Parliament of *Great Britain*, may appear; Be it therefore further Enacted and Declared by the Authority aforesaid, That the said last mentioned Act passed in *Scotland* for Settling the Manner of Electing the Sixteen Peers, and Forty five Members, to represent *Scotland* in the Parliament of *Great Britain*, as aforesaid, shall be, and the same is hereby declared to be as valid as if the same had been Part of, and Engraved in the said Articles of Union Ratified and Approved by the said Act of Parliament of *Scotland*, and by this Act as aforesaid.

Numb. XX.

CONDITIONS on which it is offer'd ( by the French ) to evacuate the Places of Lombardy, and to withdraw the Troops of the two Crowns into France.

Article 1. ALL the Places possess'd by the Troops of the Two Crowns shall be yielded up, and evacuated in the Form, and at the Day that shall be agreed on, and on the following Conditions. *Granted.*

2. All the Troops of the Two Crowns, of what Nation soever they may be, as well Cavalry, Dragoons, Infantry and Hussars, and generally all the Officers, and others who make up the Major Establishment of the Places, shall go out with Arms, Baggage, Equipages, Colours flying, and all Military Honours, in the Condition they are in at present, and shall march either in a Body, or in small Troops and Companies, which shall be left to our Choice, in the manner following, for the Conveniency of the Troops, and shall be conducted in all safety, by the shortest Way, to Suza; nor shall any Wrong, Stop, or Hindrance, be offer'd either to them; or their Equipages, on any Pretence whatsoever. *Granted.*

3. The Garrison of *Sestola* shall repair to *Mirandola*, for which purpose the Enemy shall give a Pass for their being conducted in Safety thither. *The Men belonging to that Garrison are already Prisoners of War.*

4. The Garrison of *Final* shall set out the 26<sup>th</sup>. Inst. with 10 Pieces of Cannon, in order to repair to *Suza*, by such a Rout as shall be regulated, as well as the necessary Measures for its Safety and Subsistence, as far as the said Town of *Suza*. *Four Pieces of Cannon only are allowed, viz. Two 12-Pounders, and two Six Pounders, which, in case they cannot be carried by Land, may be transported by Sea: Moreover, a General Officer, and a Commissary of War, shall be allowed to that Garrison, both for the Security of their March, and their Subsistence.*

5. The Garrison of the Castle of *Milan* shall set out the 20<sup>th</sup>. Instant, in order to repair to *Valenza*, where

they shall join the Garrison of that Place, and then march together directly to *Suza*, with the same Circumstances. *This Garrison shall march directly to Novarra, and shall join the main Body at Suza. That Valenza shall be join'd in the march by that of Cremona. A General Suspension of Arms shall be forthwith proclaimed, after which the Castle shall give Hostages.*

6. The Garrison of *Mirandola* shall set out the 25<sup>th</sup> Inst. and repair to *Gueltri*, in order to join that of *Mantua*, on the Day it passes by that Place. *Granted.*

7. The Garrison of *Mantua* shall set out the First of *April*, in order, the next day, to pass the *Ponte Borgoforte*, on the Bridge we shall cause to be made there, and repair against the Bridge of *Cremona*, by the Way that shall be agreed on. *Granted.*

8. The Garrison of *Sabionetta* shall set out the First of *April*, and go and join that of *Cremona*, by such Routs and Quarters as shall be appointed to them. *Granted.*

9. The Garrison of *Cremona* shall pass the First of the Bridge of *Cremona*. *Granted.*

10. All the said Garrisons of *Mirandola*, *Mantua*, *Sabionetta* and *Cremona*, shall assemble at the end of the Bridge of *Cremona*, in order to march together through the *Placentine*, the *Milanese*, and the Dominions of his Royal Highness of *Savoy*, directly to *Suza*, by such Routs and Quarters as shall be agreed on. *Granted.*

11. Each Garrison shall be allowed to carry with them 10 Pieces of Cannon, with such Carriage and other Furniture, as belong to Artillery, and Ammunition for each Piece to fire 100 times. Each Foot Soldier and Trooper shall be permitted to carry with him Powder and Shot to fire 50 times. *Ten Pieces of Cannon only are allowed for the Garrisons, without including those for Final; and the particular Places from whence the same shall be taken shall be expressly agreed on, viz. Four 12, Two 6, and Four 3 Pounders, with Ammunition for each Piece to fire 50 times.*

12. In case the Governors of Places have anything to add to the present Articles, either for their own Concerns, or those of their Garrisons, such Things shall be granted to them, as cannot be known, till the Orders for the Evacuation of the said Places are issued.

to them. If the Governors of the Places have any Thing to add to the said Articles, the same shall be adjusted with them, according to Justice.

13. No Deserter, of what Nation soever, shall be taken, or deliver'd up. Deserters shall be allow'd to return to their Regiments; but in case they are unwilling, they shall not be taken by Force.

14. No Officer, Soldier, or other, of what Character soever they may be, on the Enemy's side, shall be allow'd to come amongst the Troops of the two Crowns, to entice away the Foot Soldiers, Troopers or Dragoons. *Granted.*

15. The necessary Waggons shall be furnish'd gratis, both from the Places, out of which the Garrisons shall march, and every where else on their march, as far as Saxa, viz. as many as shall be necessary for the carrying away the Effects belonging to the Kings, the Sick, and the Equipages, both of the Troops, and General Officers. *Three Waggons shall be allowed gratis for each Battalion, and even for each Regiment of Horse. But the Enemy shall be obliged to pay for the other Waggons, except the General Officers, to whom they shall likewise be given gratis.*

16. It shall be permitted to leave on our Part two Commissaries of War, either in the Places of the Milanese, or Piedmont, which shall be left to our Choice, as well to take Care of the Sick, (that shall remain in the Places, to whom Routs shall be given to repair to France, when they are cured, on the same Foot as the said Routs shall be given to the Troops) as to clear all the Debts and Affairs, that shall happen not to have been settled, either in Lombardy or Piedmont; in consideration whereof, the Commissaries, Treasurers, Clerks, and others detained in Pavia, Alexandria, Casal and Turin, for the settling of the Debts, and assisting the Prisoners, shall be permitted to return into France, after they shall have delivered up to the said two Commissaries, who shall be nam'd by the Prince of Vaudemont, the Accounts of such Matters as they were entrusted with. *Granted, provided the Ammunition and Military Utensils and Furniture, be not comprehended in the Effects belonging to the Crowns; well knowing, that Warlike Ammunition is not meant in this Article. But this is put by way of Precaution.*

17. The Enemy, and the Countries, in which have made War, shall not claim any Thing on a count of Waggon furnish'd in extraordinary Marches, and loss of Oxen in the Convoys, or for furnishing Hay, Straw and Wood, during the March of the Troops, while we were in Possession of the Countries. *Granted.*

18. That it shall be permitted to evacuate by Boats, the Hospitals of the Places on the Po, without waiting for the Departure of the Troops, in which purpose Passes shall be granted; as well for the Boats, Sick, Wounded and Utensils, as for the Commissaries and Surgeons who are to take Care of them, as far as Chiवास, where Waggon shall be furnish'd for the whole, to be conducted to Suza: And if necessary should compel them to leave some Sick or Effects, in some Place of the Milanese, or Piedmont, they shall be received there, provided, that the (French) King shall be at the Charge of their Subsistence. *Granted.*

19. Besides the Pieces of Ordnance, which each Garrison may carry away with them, it shall be permitted to carry away the Field Artillery consisting of 30 Pieces of Cannon of different Sizes, and five Mortars, with as much Ammunition as we shall be willing to take along with the said Artillery. *As for the Cannon of the Places, the same has been answered by the 12th Article. And as for the Field Artillery, 24 Pieces are allow'd but no Mortars, and Ammunition for each Piece to fire 50 times.*

20. The necessary Waggon for the Service of the said Artillery, shall be furnish'd gratis by the Enemy, if there be occasion. Besides the necessary Oxen for the Pieces of Cannon, 30 Waggon shall be given gratis for the Artillery, and if more are wanting, the Enemy shall pay for the same.

21. All the Officers of Artillery, and all Men belonging to the Train, shall repair to Suza with the said Artillery, on the same Terms as the Troops. *Granted.*

22. During the space of 3 Months, to commence from the Day on which the Treaty shall be sign'd, we shall be allow'd to withdraw all Provisions and Ammunition, that are in the Places, and other Effects belonging to the two Crowns, in order to convey the



the same to Genoa, Venice, or Suza, either by Water or by Land, with the necessary Passes for their Security, paying for the Carriages, which shall be freely furnish'd; and it shall be permitted to agree for the same in the Places, either with his Imperial Majesty's Commissaries, or private Persons, or Jews, who shall be willing to buy the same. *As for the Provisions belonging to the Enemy, it shall be permitted to sell the same, it being impossible to furnish Carriages to transport them. The Enemy shall likewise be allowed to leave Commissaries, during 3 Months, for the Sale, and the clearing of the said Effects; as for the Ammunition, it shall remain in the Places, except what shall be given for the Field and Garrison Artillery, and distributed according to what has been granted to the Troops.*

23. The Intendant, Commissaries of War, Generals of the Provisions, Directors of the Hospital and of the Posts, Ingeniers, Treasurers, and generally all Persons in Employment of which the Intendant shall deliver a List, shall march with the Troops, or separately, being furnish'd with Passports for their getting safe to Suza. *Granted.*

24. The Gallies shall be sent to Venice, to be made Use of as shall be thought fit; the Officers and Companies of the said Gallies shall follow the Troops, on the same Condition specified above for the Troops and Officers. *Granted.*

25. All the Prisoners of War taken in Italy, of what Quality or Nation soever they be, shall be restor'd us *bona fide*, and shall follow the Troops, we obliging our selves to deliver within one Month's time all those that are in France, and not at Hand to be deliver'd up on the Spot. *The French Prisoners that are mark'd in a List separately sign'd, and actually in the Hands of the Imperialists, shall be deliver'd up, as well as some others that are detain'd in Roveredo, la Badia and by the Body under General Wetzel: As for the Spaniards, Italians, Swiss, and Grisons, they shall be deliver'd up likewise, from a Colonel downwards, except those that are minded to take on in the Service of the Emperor, or of his Royal Highness, or to quit all military Service: In Exchange, we shall be content for the Imperialists that are Prisoners, with what is offer'd in the Article, that is to say, from a Colonel downwards.*

26. All the *Swiss* that have been taken Prisoners and that are in the State of *Milan*, or in their own Country, shall be declared free. *Such of them have not lifted themselves, are understood to be comprehended in the Article about Prisoners.*

27. Bread, Forrage and Lodging, shall be furnish'd gratis by the Enemy to all the abovesaid Troops Horse and Foot, and to the Retinues of the General Officers of the Troops, Provisions, and Artillery in all Places through which they pass, of which Account shall be given by the Intendant, and the Troops shall rest one Day in four, and march but 10 Italian Miles a Day. Bread and Oats, or other Corn for the Horses, cannot be given gratis, when the Enemy pretend to make their own Profit of the Magazines that are in the Places; so they must either pay for what shall be furnish'd them, or deliver up a certain Quantity of Meal and Corn, which shall be proportion'd to them daily. As far as the Frontiers of *Piedmont* they shall have Hay gratis, and where there is none the Enemy must be content with Straw, or such other kind of Forrage as can be had: Their Marching 10 Italian Miles a Day, and resting every fourth Day, is likewise granted.

28. The Prince and Princess of *Vaudemont*, and all the General Officers of what Nation soever, shall go with the Troops, or separately, which shall be left to their Choice, directly to *Susa* by the shortest Road, with all their Coaches, Chaises, Equipages, Retinues, and Domestick Servants; when they have resolved how to go, they shall be furnish'd with Passports and Guards necessary for their Security, and with Lodging and Forrage. Granted to the Prince and Princess of *Vaudemont*, and the General Officers, Retinues and Equipages; and their Word is relied on, that they will demand no more than they shall necessarily want.

29. No Officer, Soldier, Servant, or other Person, shall be detain'd for Debt; because Commissaries are offer'd to be left to clear the said Debts, with all Equiry. Granted.

30. As for the Debts the Prince of *Vaudemont* may owe in *Milan* and the *Milanese*, he will satisfy them, by giving substantial Security for Payment within 6 Months, provided all his Moveables and Effects, that have been seiz'd be restor'd, and that his Servants be permitted to pack up the said Moveables and Effects.

Effects, and send them with Passports to *Genoa* or *Suza* by Carriage, which shall be furnish'd on their paying for it. *M. Carlos Semple* and *la Gorge*, two of his Servants, or any other whom he shall send to make Inquiry after the Moveables and Goods belonging to him, and which may have been taken by private Persons in the Disorder wherein he left his House, shall be allow'd to use their best Diligence in such a Search; and in that Case, Prince *Eugene* is desired to assist them with his Authority and Orders. *No Difficulty is made of causing the Prince of Vaudemont's Moveables to be restor'd to him, provided his Creditors have Security and Satisfaction given them; and Prince Eugene consents to interpose his Authority, that the Whole may be adjusted with Equity and Justice.*

31. The same thing shall be granted with regard to all Moveables and Effects belonging to the Domestick Servants of the Prince of *Vaudemont*, that shall be found in *Milan*, or the *Milanese*; and they shall be allow'd 3 Months to remove them to *Genoa*, or *Suza*. To which end the said Domesticks shall send their Servants or go thither themselves, to make Search for the said Moveables and Goods, [Household Furniture or Cloaths] and they shall be furnish'd with Passports for 3 Months, as well for going to *Milan*, as for sending their Effects to *Genoa* or *Suza*. *Granted, except what was taken or wasted at first.*

32. All General Officers, and others, of what Nation soever who left any Baggage in the Towns of *Piedmont* or the *Milanese*, shall be allow'd likewise to send them to *Genoa* or *Suza*, with Passports which shall be granted them on Demand. *Granted, except what was confiscated or destroy'd at first.*

33. Care shall be taken for the Subsistence and Security of the Troops, and all the Equipage, in their March to *Suza*. *Care shall be taken for their Security in their March; as for their Subsistence, it has been answer'd in other preceding Articles.*

34. The Prince of *Vaudemont* demands of the State of *Milan* the Payment of 50000 Crowns, arising to him from his Stipends as Governor General of the *Milanese*, and due to him in the Month of September 1706, before the Enemy entred that State. 'Tis agreed, that the *Accounts of the Prince of Vaudemont's Ordinary and Extraordinary Salaries as Governor of the Milanese,*

*Milanese, shall be stated to the same express'd in the Article, and in case any Arrears be due to him, Prince Eugene will procure him Satisfaction from the State of Milan.*

35. The said State of Milan shall pay to the Undertakers who have furnish'd Artillery, Bread, Ammunition, Forrage, Corn, and other things, what is due to them, in the Manner stipulated in the Assignments given them by the Magistrates, and the State of Milan. *This is a Matter in which the State of Milan, and the Magistracy are concern'd, and shall be decid'd according to Justice; the Enemy have no longer any thing to do with it.*

36. A Passport shall be given to M. D. Jean de Herrera, great Chancellor, who is at Bologna, to join the Troops with his Equipage, and march with them, or separately, as he shall think fit, directly to *Susa*, or *Genoa*, by the shortest Way; he shall likewise be allow'd to withdraw the Effects he may have left in Milan or the Milanese. *Granted, as to his Effects, on the same Foot with what is said to the preceding Points.*

37. Upon the Delivering up the *Modenes*, it shall be permitted us, to oblige the *Consuls* of *Modena* to give an Account of what is due to the King to the Day of the Evacuation of the Citadel of *Modena*, from the Farms of *Modena*, and from the Notes made payable at the end of *September* last, by the said *Consuls*, for the Sum of 22000 Livres, that is to say, 12000 to M. de *Chem-rault*, 6000 to the *Chevalier de Luxembourg*, and 4000 to M. d'*Esclainvillers*. *The Citadel of Modena having capitulated, this Article is referr'd to that Capitulation.*

38. All Officers, Soldiers, and other Persons of whatever Nation, Character, or Profession, as also their Families, shall be entirely at Liberty to follow the Troops, or to continue in *Italy* in their Employments or Trades, with Freedom to carry with them their Effects, or to sell them within three Months; nor shall any who have serv'd the two Crowns in any Quality whatever, or adher'd to them, be molested in any Manner, on any Pretence. *Granted, except that those who will stay after the Expiration of 3 Months, shall have Need of a New Permission.*

39. The

39. The Generals, and other Officers, and other Persons, that are in the Service of the two Crowns, shall enjoy the Estates they have in the *Milanese*, the *Montferrat*, the *Modenese*, and the *Mantuan*, or shall have Liberty for a whole Year, to dispose of them by Sale or otherwise. *Granted, that they shall have six Months time to take what Course they think best.*

40. That part of the *Montferrat* which belongs to the Duke of *Mantua* shall be restor'd to him, or as an Equivalent for it *Cremona*, and the *Cremonese*, with the same Neutrality in which he shall be left possess'd of *Mantua* and his Dominions, in which are included the Territories of *Guastalla* and *Bozzolo*; and he shall be at Liberty to put what neutral Garrison he pleases into *Mantua* and *Cremona*, when the Troops of the two Crowns shall march out of them. *Refus'd in every Particular; 'tis promis'd, however, that the Privileges of the Inhabitants of Mantua, and the Jews living in it, shall be maintain'd.*

41. *Mirandola*, and its Territories, shall likewise be restor'd to the Duke of *Mirandola*. *Answer'd by the preceding Article.*

42. All the Boats and Materials necessary for making Bridges over the Rivers which the Troops are to pass in their march to *Susa*, shall be made and furnish'd at the Charge of the Enemy, who shall give Orders to that purpose, as also for the sending down of Boats forthwith for finishing the Bridge of *Cremona*. *Granted.*

43. Hostages shall be given on both sides, till the present Treaty be intirely executed, of which his Royal Highness of *Savoy*, and Prince *Eugene*, shall remain Guarantees in its full Extent. *Agreed for two Officers to be Hostages, viz. a Major General with a Colonel or Brigadier: And to the said Guaranty. Done at Milan, the 13th of March, 1707.*

Sign'd,

St. Pater.

La Javellerie.

The Count de Shilch.

Count Daun.

\* *Vicor Amedee II.* by the Grace of God Duke of *Savoy*, Prince of *Piedmont*, King of *Cyprus*, &c. Supreme General Commander of his Imperial Majesty's Armies in Italy.

Having perus'd the Articles above, sign'd by Prince *Eugene*, we have approv'd, ratified, and confirm'd, the

the same, according to their Form and Tenour, promising on the Faith and Word of a Prince, to observe and cause them to be observ'd inviolably, without infringing them, or permitting them to be infrin'g'd, directly or indirectly. In Witness whereof we have sign'd these Presents with our Hand, and caus'd our Privy Seal to be put to them. Done at *Turin*, *March 16. 1707.*

Sign'd *Victor Amede*, and countersign'd, *de St. Thomas*

## Numb XXI.

*At the Court at Windsor, June the 10th 1706.*

P R E S E N T,

*The QUEEN's most Excellent Majesty  
in Council.*

Upon reading this day at the Board a Representation from the Lords Commissioners of Trade and Plantations, in the Words following, (*viz.*)

*May it please your Majesty,*

N. B. *This Piece, has reference to Pa. 228 of the 4th. Vol. of these Annals.* IN Obedience to your Majesty's Commands, signified to Us by the Right Honourable Mr. Secretary Hedges on the third of the last Month, directing Us to consider of an Address from the House of Lords to your Majesty, concerning Complaints of many Inhabitants of the Province of *Carolina*, and Merchants trading thither, against the Proprietors of that Province, and to report our Opinion what Method is proper to be taken for the Relief of your Majesty's Subjects there, and for the protecting them in their just Rights. We humbly represent to your Majesty, That we have consulted your Majesty's Attorney and Solicitor General in Point of Law, upon the said Address, and have receiv'd their Opinion as follows,

(*viz.*)

(viz.) "That by the Grants of that Province, made  
 "by his late Majesty King *Charles II.* bearing Date  
 "the 24th of *March* in the 15th and the 30th of *June*,  
 "in the Seventeenth Year of his Reign, a Power of  
 "making Laws with the Assent and Approbation of  
 "the Freemen there Inhabiting, is granted to the  
 "Proprietors, for the good and happy Government  
 "of that Province, so as such Laws be consonant to  
 "Reason, and as near as may be conveniently agree-  
 "able to the Laws and Customs of *England*: And  
 "they are of Opinion, that the Laws mentioned in  
 "the said Address not being consonant to Reason,  
 "and repugnant to the Laws of *England*, are not  
 "warranted by the said Charters, but were made  
 "without any sufficient Power or Authority deriv'd  
 "from the Crown of *England*, and therefore do not  
 "oblige or bind the Inhabitants of that Colony:  
 "And that your Majesty may lawfully declare those  
 "Laws, as to the Matter therein contain'd menti-  
 "oned in the said Address, to be null and void:  
 "That your Majesty may command that the same  
 "shall not be put in Execution or observed, and  
 "may also require and command the Proprietors,  
 "and Assembly of that Province, by Act of Assembly,  
 "to enact and declare the same to be Null and Void:  
 "And your Majesty's said Attorney and Solicitor  
 "General are further of Opinion, That the making  
 "such Laws is an Abuse of the Power granted of ma-  
 "king Laws, and will be a Forfeiture of such Power;  
 "And that that Power may be seized into your Ma-  
 "jesty's Hands by *Scire facias* in the Chancery, on  
 "the Patents, or by *Quo Warranto*, in your Maje-  
 "sty's Court of *Queen's Bench*: if the Laws were ap-  
 "proved and confirmed by the present Proprietors,  
 "which doth not fully appear to them to have been  
 "so by the said Address.

Whereupon, We having had this whole Matter  
 under our Consideration, and concurring with the Re-  
 port of your Majesty's said Attorney and Solicitor  
 General, do humbly offer that your Majesty be  
 pleased, by your Order in Council, to declare the  
 said Laws, and the Matters therein contain'd, to  
 be Null and Void: And that your Majesty be  
 further pleased to signify your Royal Pleasure, to the  
 Proprietors and Assembly of that Province, that  
 they

they do not permit the said Laws to be put in Execution, but to declare the same Null and Void.

And as the making of such Laws is an Abuse of the Power granted the said Proprietors of making Laws, and will be a Forfeiture of such Power, We further humbly offer, That your Majesty be pleased to give Directions for the Reassuming the same into y<sup>ur</sup> Majesty's hands by *Scire Facias* in the Chancery, or *Quo Warranto* in your Majesty's Court of *Queen's-Bench*, for the speedy Determination of this Matter, according to the said Report,

Which is most humbly submitted

Dartmouth,  
Rob. Cecil,  
Ph. Meadows,

Wm. Blatbwayte,  
Mat. Prior,  
John Pellexfen

Her Majesty having taken the same into Consideration, together with the ill Consequences of the said Acts, if continued in Force, is pleased to approve of the said Representation, and accordingly, with the Advice of her Privy Council, to declare the said Acts mentioned in the said Representation and Address, the one, Entituled, *An Act for establishing Religious Worship in this Province according to the Church of England, and for the erecting of Churches for the publick Worship of God, and also for the maintenance of Ministers, and the building convenient Houses for them*; The other, Entituled, *An Act for the more effectual preservation of the Government of this Province, by requiring all Persons that shall be hereafter chosen Members of the Commons House of Assembly, and sit in the same, to take the Oaths, and subscribe the Declaration appointed by this Act, and to conform to the Religious Worship in this Province, according to the Church of England, and to receive the Sacrament of the Lord's Supper, according to the Rites and Usage of the said Church*: And all the Matters contain'd in them to be Null and Void; and also to order that the Proprietors and Assembly of that Province, Be, and they are hereby strictly enjoin'd, and requir'd, not to permit the said Laws, or any part of them, to be from henceforward put in Execution. But that

At



they forthwith declare the same to be Null and Void, all Intents and Purposes, as they will answer the contrary.

*At the Court at Windsor, June the 10th. 1706.*

P R E S E N T,

*The QUEEN's most Excellent Majesty  
in Council.*

**U**Pon reading this day at the Board, a Representation from the Lords Commissioners for Trade and Plantations, upon an Address from the House of Lords to her Majesty, concerning Complaints of many Inhabitants of the Province of *Carolina*, and Merchants trading thither, against the Proprietors of that Province, Her Majesty taking the same into Consideration, is pleased to approve of the said Representation, and accordingly having declared the Laws mentioned therein to be null and void, doth hereby Order, that for the more effectual Proceeding against their said Charters by way of *Quo Warranto*, Mr. Attorney and Mr. Solicitor General do inform themselves fully concerning what may be most necessary for Effecting the same, and report the whole Matter, with their Opinion therein, to her Majesty in Council, with all convenient speed.

The 26th. of *June* 1706, the Attorney General presented to the Queen and Council, That the Privilege of Peerage would be concerned in this Prosecution, presuming her Majesty would be very tender of the Privileges of that House; upon which the Council made the said day an Order; That taking into Consideration the Privileges of the Peers, no further Notice should be taken of that Affair.

## Numb. XXII.

*A Letter written by the Pastors of the Church of Geneva and the Professors of the Academy there, to the University of Oxford.*

Admodum Reverendo Dno.  
Vice-Cancellario, & Viris Nobilissimis, Celeberrimis, Præstantissimis, Rectoribus, Doctoribus, aliisque Membris Universitatis Oxoniensis plurimum Reverendis.

Oxonium.

Viri Nobilissimi, Celeberrimi,  
Doctissimi, nobis plurimum Colendi, & Fratres in Christo Dilectissimi.

**S**UMMO gaudio nos perfudit quod de vestra in nos charitate scribere dignatus est illustrissimus Præsul Henricus Londinensis Episcopus. Cum enim accepissemus nos male audire, & Genevæ famam apud vos deteri, nomine vestro nos docuit præjudicatas esse & veteres opiniones nondum penitus depositas; & quæ in medium à quibusdam delata erant nos non spectare, verum nonnullos, qui Ecclesiæ Anglicanæ Disciplinam & Liturgiam detestantes, nomen nostrum præ se ferebant: Illud vero à sententiâ nostrâ omnino diffinuum esse noverat vir illustrissimus. Ita est

To the most Reverend Vice-Chancellor, and to the most Honoured, the most Noble, the most Famous, and most Excellent, the Rectors, Doctors, and other Members of the University of Oxford. Oxford

Most noble, most renown'd, most learned, our much honour'd, and most dear Brethren in Christ.

**T**HE Letter by which the most illustrious Prelate, Henry Bishop of London, was pleas'd to acquaint us with your Affection for us, was extremely acceptable to us. For having been inform'd you had entertain'd an ill Opinion of Us, and that the Name of Geneva was traduced among you, he let Us know, on your part, that those were Prejudices, and antiquated Notions not yet wholly extinguish'd; and that what had been publish'd thereupon by some, did not concern Us, but certain Persons, who rejecting the Discipline and Liturgy of the Church of England, pretend to act by our Example. But, that most illustrious Prelate knew this was a thing wholly remote from our Sentiments: And, indeed,

est, fratres in Christo dilectissimi, simulquo plurimum colendi, tantum abest ut animus noster ab Ecclesia Anglicana alienus sit, ut potius semper eam magni fecerimus; nec ullus nostrum, dum in Angliā versatus sit, ab ejus cœtibus, aut synaxi recesserit. Intercessit Pastorum nostrorum, ac presertim Calvini & Bezae, cum illustrissimis Angliæ præsulibus, literarum Commmercium; & quoties quanta esset vestra Confessionis fidei & Liturgiæ apud nos existimatio palam faciendi occasio sese obtulit, eam nunquam prætermisimus, ut ex variis monumentis patet. Hanc hodie rursus arripimus, ut quod inter vestrum nonnullos aut oblitteratum erat, aut penitus incognitum, amplius non lateat. Eos ritus quidem habemus, quales Reipublicæ Gubernatio & Necessitas postularunt; verum a nostris dissimiles nec rejicimus, nec in contemptum adducimus; existimamus quippe in Jesum Christum fidem, in Deum & proximos amorem, cultum ab omni superstitione & Idololatriæ remotum, quæ sufficiunt ad salutem acquirendam, cum rituum diversitate stare posse. Optamus igitur ut hæc Communionis & Charitatis Christianæ vincula minimè abrumpantur; si enim inter vos versaremur, libenter ad sacra vestra accederemus;

indeed, most dear and much honour'd Brethren in Christ, we are so far from having a Dislike to the Church of England, that we have rather always had a great Esteem for her; nor, when any of Us have been in England have we avoided her Congregations and Communion. Our Ministers, especially Calvin and Beza, held Correspondence by Letters with the most eminent Prelates of England, and we have never let slip any Occasion that has been offer'd to shew our Esteem of your Liturgy, and Confession of Faith; of which divers Testimonies are extant. In like manner we embrace the present Opportunity, that what has either been forgotten, or is altogether unknown to some among you, may no longer be conceal'd. Our Rites are such as the Government of the Republick and Necessity requir'd; but we neither reject nor despise those that are different from Ours. For in our Judgment, Faith in Jesus Christ, Love to God and our Neighbours, a Worship free from all Superstition and Idolatry, which are sufficient to attain Salvation, may well consist with Diversity of Rites. We therefore wish these Bands of Communion and Christian Charity may, in no wise, be broken. For if we resided among you, we would most willingly communicate with you in holy things;

*nihilque in votis magis habemus, quam ad commune Ecclesiarum Evangelicarum Emolumentum, Anglicana præsertim, pacem & decus, & Papistica Tyrannidis excidium, conjunctis operis aliquid prestare. Quoties ad id aliquid nos conferre posse judicaveritis, paratos invenietis; tum etiam ad testificanda quæ superius de mente nostra expressimus. Ne dedignemini quæsumus, istos sinceri amoris & Observantiae vehementes affectus; neque enim intermorientur; verum ad vota pro vobis apud Deum fundenda indefinenter nos impellent.*

*Dabamus Geneva 7. Cal. Oct.  
1706.*

*Viri Nobilissimi Præstantissimi.*

*Cultores vestri obsequentissimi, ac fratres in Domino, Pastores Ecclesiæ Genevæ & in Academia Professores, omniumque, nomine*

*Antonius Legerus, Ecclesiæ Pastor, Philof. Professor ac p. t. Moderator.*

### The Answer of the University of OXFORD.

*Viris plurimum Reverendis, Celeberrimis, Præstantissimis, Ecclesiæ Genevensis Pastoribus & Academia Professoribus. Genevam.*

*Viri Celeberrimi, Doctissimi, Nobisque plurimum Colendi.*

**L**iteras Vestras à Reverendo in Christo Patre Episcopo Londinensi ad nos transmissas læti

things; and have nothing more at Heart, than, in Conjunction with you, to do something for the common Advantage of the Evangelical Churches, more particularly for the Peace and Honour of the Church of England, and for the Destruction of the Papistical Tyranny. Whenever you shall Judge Us able to contribute any thing to that End, you shall find Us ready, as well as to give Proof of what we have above declar'd to be our Thoughts. We desire you not to contemn these zealous Tenders of our sincere Love and Respect which will ever continue, and incessantly oblige Us to put up our Prayers to God for you.

*Most Noble and most Excellent, Your most obedient Servants and Brethren, in our Lord, the Pastors of the Church of Geneva, and Professors of the University; In the Name of all, Anthony Leger, Minister, Professor of Philosophy, and Moderator, pro tempore.*

### The Translation,

*To the Reverend, most Famous, and most Excellent, the Pastors of the Church of Geneva, and the Professors of the Academy.*

*Geneva.*

*Most Famous, most learned, and most honoured,*

**W**E have, with Joy, receiv'd your Letter, which was convey'd to us by the Right Re-

accepimus; Academiz huic perquam gratas, quod profectus fuerint ab Academicis pietate, eruditione, atque ardenti erga Religionem Reformatam Studio eximijs; adhuc tamen gratiores, quod à Sanctissimo illo Præsule nobis commendatz venerint, quo nemo aut Ecclesiam Anglicanam paterno magis affectu fovet ac tuetur, aut exterius omnes, utcunque locorum intervallis distitas, arctissimo tamen purioris fidei vinculo conjunctas, charitate magis fraterna prosequitur.

Plurimas vobis, Fratres in Christo dilectissimi, gratias agimus, quod eas suspiciones, quas verba nonnulla, diversam longè apud nostros ac apud Exteros Homines sententiam exprimentia, animis vestris infuderant, post mentem nostram plenius patefactam, absque omni cunctatione humanissime deposuistis. Pergite, viri Optimi, sicut facitis, nos Ecclesiamque nostram diligere, & de nostra erga vos invicem benevolentia non dubitare: atque hoc vobis persuasissimum habeto, si quid forte ab aliquo è nostris exciderit, quod in *Genevam* asperius dictum videatur, id non ad ullam aut Reipublicam, aut Academiam *Genevensi* dedecoris labem inurendam designatum fuisse, sed ad istos solummodo è nostratibus pertinuisse, qui cum ritus nostros impugnant, cum Liturgiam contumeliis proscindunt, cum à legitimis Ecclesiis Anglicanæ cætibz sese segregant, cum Schismaticos conventus celebrant, cum disciplinam apud nos, tam Civili quam Ecclesiastica Autoritate stabi-

Reverend Father in Christ, the Bishop of *London*; and which is most grateful to this University, as coming from an Academy, famous for their Piety, Erudition, and ardent Zeal for the Reformed Religion: And it has added to our Satisfaction, that it came recommended by that most pious Prelate, than who, none cherishes and defends the Church of *England* with greater Paternal Affection, or has greater Charity for all Foreign Churches, tho' never so remote in Place, so they be conjoin'd by the strictest Bond of Purity of Faith.

We return you Abundance of Thanks, most Dear Brethren in Christ, That without any Hesitation you have most kindly laid aside those Suspensions, which some Expressions, that bear a much different Sense Abroad, from what we mean by them at Home, had given you, as soon as you were better acquainted with our Thoughts. Continue, most Excellent Men, your wonted Affection to us and our Church, and do not doubt of our Mutual Good-will towards you; But be thoroughly perswaded, that if any among us has let fall any Expressions, that may seem too harsh against *Geneva*, the same were not meant to brand with a Mark of Disgrace either the Republick, Academy, or Church of *Geneva*, but only level'd against such of our Country-men, who, when they attack our Ceremonies, revile the Liturgy, separate themselves from the lawful Assemblies of the Church of *England*, hold Schismatical Conventicles, and use all Endeavours to undermine the Discipline Establish'd by the Civil, as well as by the Ec-

licam, labefactare omni ope contendunt, nefariis hisce sceleribus Vestrum nomen, ea, qua sunt, audacia, præterdere non erubescunt. Quantum autem vox à turbulentis istorum hominum ingenijs consiliisque abhorreatis, satis indicant plurima ea, quæ in Theologorum Vestrorum scriptis extant Ecclesiæ Anglicanæ præconia: quibus non leve pondus accessit ex Literis vestris nuper ad nos allatis, quæ recens simul ac gratissimum nobis exhibuerunt vestræ erga Ecclesiam nostram voluntatis testimonium. Magni semper apud nos habebitur honorifica vestra Ecclesiæ nostræ comprobatio, quæ Schismati apud nos late grassanti finem statim poneret, modo apud Illos, qui à nobis dissentiant, vestra tantum, quantum eam valere simulant, revera valeret Auctoritas.

De rituum apud Ecclesias diversas varietate, quæ vestra est, viri Illustrissimi, eadem & nostra semper fuit sententia: Id enim in Liturgia nostra, id in Religionis Articulis expressum reperietis; fas esse unicuique Ecclesiæ in ritibus præscribendis jus suum in suos exercere; nefas esse ut altera alteram incuset, quod ritus à suis discrepantes receperit. Alienissimum est à nostra charitate Ecclesias illas reformatas, quæ, ineluctabili necessitatis lege adactæ, à primævâ Episcopalis regiminis formâ haud sponte sua recesserunt, tanquam legitimis Pastoribus aut Sacramentis ritè administratis penitus destitutas, rigida nimis censura damnare: à judicio hoc de Ecclesia vestra ferendo longe semper abfuerunt è Theologis nostris celeberrimi, qui peregre commoran-

clesiastical Authority, with their usual Confidence, do not blush to make use of your Name to palliate those Villainous Practices. But how much you abhor the turbulent Temper and Counsels of those Men sufficiently appears by the many Encomiums upon the Church of *England*, which are extant in the Writings of your Divines: Which receive no small Additional Weight from your late Letter to us, which gives us a fresh, as well as most grateful Testimony of the Affection of your Church towards ours. We shall ever set a great Value on your illustrious Approbation, which would soon put a stop to the vast progress Schism makes amongst us, if your Authority had really such Credit with those who dissent from us, as they pretend it has.

We ever had, most illustrious Gentlemen, the same Thoughts with you, concerning the Differences of Ceremonies in the several Churches: For you will find both in our Liturgy, and in the Articles of Religion, That it is lawful for any Church to use its Authority, in prescribing Ceremonies to its own Members; And that it is unjust for one Church to blame another, for admitting Ceremonies differing from its own. It is altogether inconsistent with our Charity, by too severe a Censure, to condemn those Reformed Churches which, forc'd by the *Irresistible Law of Necessity*, unwillingly, deviated from the *Primitive Form of Episcopacy*; as if they should be wholly destitute of lawful Pastors, and rightly Administered Sacraments: Our most famous Divines were ever Averse from Passing such a Judgment upon

res Sacris vestris habeantur interfuerunt. Sed multum dispar est Schismaticorum nostrorum à vestra causa, multum diversa nostra de his sententia; qui cum nulle necessitate compulsi legitimæ Episcoporum Auctoritati sese subtrahunt, *Genevæ* exemplum, perduellioni suæ obediunt, vestro patrocinio adeo minime suffulti, ut, Calvinus vester illos, qui *talem Hierarchiam* quali nos fruimur, non reverentur summæque obedientiæ observent, nullo non *Anathemate* dignos censuris.

Id sanè optandum erat, ut antiqua illa Ecclesiæ per Episcopos gubernandæ ratio, quam Apostoli à Christo ipso fidei nostræ Auctore edocti, & plenior Sancti Spiritus mensura perfusi instituerant, per universum orbem Christianum etiamnum vigeret. Hanc nos disciplinam Auctoritate plusquam humana fundatam, ac divini providentia, per Omnia, quæ ab Apostolorum usque temporibus fluxerunt, secula, ad nos transmissam, non sine singulari Dei beneficentia retinemus: quam quidem beneficentiam *Beza* Vester nobis optavit perpetuam; Nos vicissim Vobis ac Reformatis omnibus Ecclesiis communem fore ardentissimis votis efflagitamus. Felicius certe Reformatorum res procederent, si qui eandem primævam fidem tenent, eandem etiam primævam disciplinam amplecterentur; & meliori successu bellum Papali tyrannidi indidum gereretur, si contra impias, piisque omnibus detestandas Pontificiorum innovationes conjunctis, sub antiqua Apostolici re-

upon your Church, who, while they liv'd Abroad, did readily communicate with your Worship. But there is a vast Disparity between your Case, and the Schismatics, among us: And no less Different is our Opinion of them, who compell'd by no Manner of Necessity, shake off the Lawful Authority of Bishops, and justify their Rebellion by the Example of *Geneva*, when they have so little Reason to claim your Countenance, that your (*Founder*) *Calvin*, thought no *Anathema* too severe for those who show no Reverence and perfect Submission to such a HIERARCHY, as we enjoy.

It were, indeed, to be wish'd, That the Ancient Government of the Church by Bishops, which was Instituted by the Apostles, taught by Christ himself, the Author of our Faith, and endowed with a larger share of the Holy Ghost, should flourish to this day, throughout the whole Christian World. This Discipline, founded by more than Human Authority, and by the divine Providence, transmitted to us, through all Ages, from the Apostolick times, we still preserve by the Singular Mercy of God: Which your Country-man *Beza* wish'd us might Continue for Ever: And which, in return, we most ardently wish, may become common to you, and all the Reform'd Churches. The REFORMATION would, certainly, be more Prosperous, if Those who retain the same *Primitive Faith*, should likewise embrace the same *Primitive Discipline*; And the Declared War against the *Papal Tyranny* should be carried on with greater success, if with Joint Forces, under the Ancient Form of Apostolical Discipline,

giminis forma, copiis militamus.

'Valeant apud Deum Optimum illæ, quas Vos pro Nostra. Nos pro Vestra felicitate assidue fundimus preces: Christus Ille, quem pro Sole, & Sæcæ Vestre habetis, lumen pariter ac præsidium Vobis Nobisque propitius suppeditet; Ecclesias Reformatas plena tandem luce illustret, easque ab omnium undequaque inimicorum telis semper præstet incolūmes.

Datæ Oxoniæ prid. Id Febr.  
Anno Domini MDCCVI.  
In frequenti Convocatione  
Omnium Doctorum, ac Magistrorum tam Regentium,  
quam non Regentium.

Ita Testor.

Geo. Cooper Notarius  
Publicus & Registr.  
Univ. Oxon.

cipline, we should attack Impious, and by all Pious Men to be abhor'd, Innovations.

May those Prayers be Heard, which You and We incessantly put up to God Almighty, for each other's Felicity: May JESUS CHRIST, who is both your Sun, and your Shield, still vouchsafe his propitious Light and Protection to You and Us; May He, at last, fully Illuminate the Reform'd Churches, and ever preserve them safe against the manifold Darts of all their Enemies.

Given at Oxford the 5th. day  
day of February, in the Year  
of our Lord; 1706. in a full  
Convocation of all the Doctors,  
and Masters, as well  
Regents, as not Regents.

Witness,

George Choper, Publick Notary,  
and Register of the  
University of Oxford.

*The Bishop of London's Answer to a LETTER of the Pastors, &c. of Geneva.*

*Most Honour'd Gentlemen and Brethren,*

'**W**HEN I receiv'd the last Letter written to me by your Body, I was at such a distance from London in the Country, that I could not return till towards the Conclusion of the Year; And whilst I was preparing to send you an Answer, I was seiz'd with so Violent, and long Fits of the Gout, that, at this very time, I am not able to write to you with my own Hand. I am sorry, that so disagreeable an Accident should have fallen out, which could make you suspect the Sincerity of our Affections. However, it is not so much an ill Design, but rather an unhappy Custom, which having not been able thereto to be quite rooted out, among a sort of People, who either for want of time, or of penetrating rightly into all the Qualifications, requisite to make all the nice Reflections upon the various Chances, which our Time has produced; It will not be amiss, Gentlemen, for me to tell you, that the source of that Prejudice remaining among some against your Church to this day, must be traced as far as the Reign of Q. Mary. Then one God-

was,



man, with some other *English* Refugees, compiled in one of their Assemblies in your City, a certain Body of Articles concerning Discipline, which being maintain'd with much heat by some Malecontents in *England*, caus'd great Troubles and Scandals both in Church and State, in Queen *Elizabeth's* Reign. As the Writers of those Times, who undertook to refute this pernicious Anarchical Principles, often make mention of *Geneva*, not only because these Articles were first hatched there by *Goodman*, and his Followers; but also because it was judged that *Mr. Beza*, likewise did support them too much; it is no wonder, if some Persons, either of no great Judgment, or very little versed in what passes in the World in our days, still retain now and then some remnants of the old Language. But Gentlemen, I dare give you my word, that there is scarce a Person deserving to be taken notice of, either by you or us, who is not also lately satisfied with those obliging Ways you have made use of in regard of our Church; and who is not ready to discourage and to disallow those disobliging and injurious Expressions. I can assure you in particular, in behalf of the University of *Oxford*, That the Governors and Heads of the Colleges, are much dissatisfied with the Indiscretion of those that make use of such odious Reflections; nay, they have even given me Authority to let you know in their Names, that for the future they will take great care, to the best of their Power, to prevent and stifle such like inconsiderate Expressions. As to what belongs to my self, Gentlemen, 'tis not needful to tell you once more, how sensible I am of those obliging Assurances given to me both by you, and the late *Mr. Trenchin*, of that due respect you intend always to preserve for the Discipline and Liturgy of our Church. I hope there is not so much as one of its true Members, but what is fully disposed to make it his utmost endeavours to encourage you in these favourable Sentiments; this obliges me to desire you to rest assured of my Affection, and my Services; and to believe, that I am,

*Most Honour'd Gentlemen and Bre-*

*Fulham, April the*

*thren, your most Humble, and most*

*30th. 1706.*

*Obedient Servant and Brother,*

*Signed Henry London,*

*The Appendix.*

*The Pastors, &c. of Geneva's Answer to the Bishop of London's preceding Letter.*

My LORD,

WE received but some few days ago, the Letter which your Lordship has done us the Honour to write to us, dated the 30th of April last, so that we have not been able to testify to you sooner, our Acknowledgment for the Goodness you have had to lay our Interests to Heart, and reconcile us to some Members of the Church of England, who had receiv'd Sinister Impressions about our Sentiments concerning the Discipline and Liturgy of your Church. We have seen, with particular Joy, the Effect which your Care, attended with exquisite Piety and Charity, has had on the Directors of the University of Oxford. We are extremely well pleas'd with the Regard they shew to us, and we write to them this day, to assure them of the Esteem we have for the Church of England. Of our disposition to communicate with them as often as Opportunity may offer; of the Respect we have for their Persons; and of our Desire to maintain with them such a Correspondence as may conduce to the common Good of the Protestant Churches, and to the Honour of the Church of England in particular. If these Steps, on both sides, produce any wholesome Effect, it will be owing to your Lordship, in whose Power it is to make Us enter into all the Engagements you shall judge proper for the Peace of the Churches. Continue, my Lord, your Labours in so good a Work. Heaven will bless your Holy Intentions. We shall see more and more, the Love of Peace settled in the Flourishing Kingdoms of Her Britannick Majesty; and that Peace will, undoubtedly, contribute to the Advancement of Truth and Piety; the Destruction of Vice and Error, and the Propagation of Christian Liberty, oppress'd in many Places by Popish Tyranny. We pray God, my Lord, to preserve you so long, as that you may see these Happy Successes, and the Sequel of the Surprising Wonders which her Majesty's Glorious Reign has produced; For what may not we hope from so Happy Beginnings, and from Events wherein the Hand of God is so sensibly to be seen? We beseech You to preserve to us that precious Charity you have express'd for Us; And on our Part, we shall never be wanting in any Thing, which, the Esteem and Respect due to your Lordship, exacts. We remain,

My Lord,

*Your most Humble, and most Obedient Servants,  
the Pastors and Professors of the Church and  
Academy of Geneva. And for all Signed,  
Anthony Leger, Pastor and Moderator.  
Fabri, Secretary.*

*The Lord Bishop of London's Answer.*

Fullham, March 23. 1706-7.

*Gentlemen, and most Honour'd Brethren,*

I Am infinitely oblig'd to you, for the satisfaction you testify you have received at the small Service I have done you. You may depend upon it, That I shall ever be ready to do you as many as will lye in my Power, whenever any Occasion offers. I doubt not, Gentlemen, and most Honour'd Brethren, but the Gentlemen of the University of Oxford, have return'd you an Answer agreeable to the Genteel Way you have writ to them in: And I am perswaded, that you will be convinced by the Assurances they have given you of Fraternal Respect and Affection, that whatever indiscreet Words may have escaped some Weak Persons, *The Church of England is, and ever will be a kind Sister to your Church of Geneva.* I wish you a firm and lasting Peace, and that you may long continue to work, with the same Strength of Mind as you do, at present, towards the Advancement of God's Glory, and the Edification of the Flocks committed to your Charge. I am, with Tender Affection,

*Gentlemen, and most honour'd Brethren;*

*Your most Humble, and most*

*Obedient Servant and Brother,*

*Sign'd, H. London.*

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